

● The greening of Governor Brown



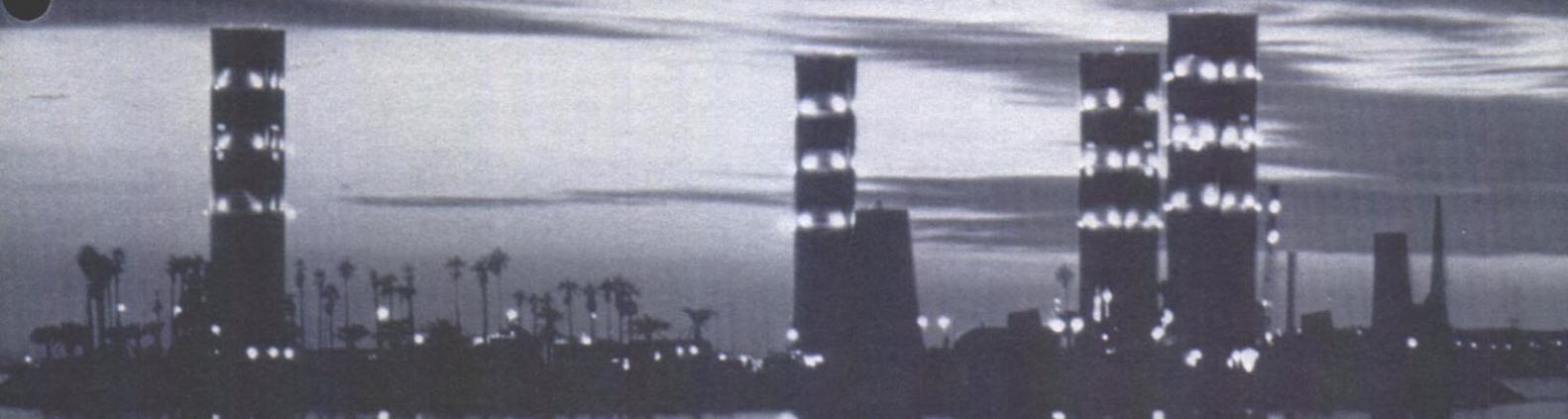
May 1975

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California Journal

THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

Long Beach...



California's Saudi Arabia

A PERSONAL PERSPECTIVE...

By Ed Salzman

Discredit where due

It isn't easy to feel sympathetic toward the outfit that boosted your natural-gas bill last month. But even the Pacific Gas and Electric Company doesn't deserve all the abuse it has been taking lately. Utilities have been going to the state Public Utilities Commission often over the past couple of years seeking substantial rate increases, and consumers have been socked with much higher prices for gas and electricity. PG&E bears the brunt of the consumer reaction because it is the state's biggest utility, serves the area with the most vociferous consumer activists and is headquartered in San Francisco, home of the PUC.

Under our system of government, the public should protest higher utility rates based on unjust profiteering by privately owned utilities at the expense of the consumer. But how can PG&E management be blamed for seeking as much money as possible for expansion, operations and profits? Where should consumer ire be directed? Here are some targets:

- **The PUC**, which decides how much money the utilities should take from their customers and under what formulas.
- **The state Legislature**, which has the power to establish utility pricing regulations.
- **Foreign and domestic oil companies**, which have taken unprecedented profits during the nation's energy crisis. (PG&E and other utilities have been forced to use more oil to generate power during the crisis, and the high petroleum prices are passed on to the consumer in his power bill. Actually, these problems might have been minimized had PG&E been more successful in its long, controversial campaign to develop nuclear power.)

The way public-utility law is supposed to work, the state guarantees a company a monopoly or near-monopoly in a given service area in exchange for control over rates and profits. In practice, the Public Utilities Commission establishes a rate of return on invested capital, and this assures the corporations' profits. Despite the rapid growth in PG&E's revenues, however, there has been no corresponding rise in profits during the energy crisis (net income up 1 percent in 1974). In other words, the consumer and the utilities both have been victims of the oil crunch. The fanatics who have been detonating explosives on PG&E property are punishing a middle man for something largely out of his control. Is it realistic to expect PG&E to absorb the increased costs and thus reduce or eliminate its profit margin? If the PUC allowed that to happen, the state would be welshing on its side of the bargain.

But there is another side to the picture — how customers are charged for gas and electricity. PG&E (and other power companies) base their prices on the average cost of generating electricity — regardless of the source. And, to a large extent, the price charged is based on the cost of

delivering the power. This results in giving large clients lower rates for using power in bulk. Some consumer activists, conservationists and economists want to turn this structure upside down. Under such a scheme, the ordinary householder would get a low base rate and large industrial users would pay the most. Theoretically, this would encourage conservation and shifting use of power during off-peak hours, when it would be available at a lower rate.

* * *

The pricing controversy now centers on the so-called lifeline bill bitterly opposed by PG&E. As introduced by Assemblyman John J. Miller of Berkeley, this measure would give every California household a basic amount of power at low cost or free each month. The amount would supposedly be sufficient for the typical family to operate a home, and anyone wanting more electricity would have to pay regular rates for it. The net effect of such a proposal would be to shift the cost of this "lifeline" power to the big commercial and industrial users. One reason PG&E says it opposes the bill is that it could actually increase electricity consumption because families might be induced to use up their monthly allotments whether or not they needed the power.

PG&E has every legal right to fight the Miller plan or any other bill before the Legislature affecting utilities. But going back to the theory of government regulation of these firms, isn't the determination of pricing a matter of public policy? Why should PG&E care *who* pays for the power as long as the utility gets *its* fair return on its investment? PG&E is creating serious public-relations problems not so much because it needs massive rate increases as because of its hard line against reforming the price structure.

The reason for PG&E's tough stand against "lifeline" is hardly complex. The utility is part of the big-business element in this state. Enactment of a rate reform will hurt most the kinds of firms represented by the men on PG&E's own board of directors, who constitute a who's who of Northern California's largest corporations. In opposing "lifeline", PG&E is fighting the battle for these firms, not for itself. As long as the total number of dollars remains the same, a "lifeline" concept will not hurt PG&E because its profit margin will not be touched.

The outraged consumer activists (and the mad bombers) cannot expect big businessmen not to keep expounding the big-business point of view. That's their job. The protests should be directed at the representatives of the public charged with establishing utility-rate policy — the Legislature, the Public Utilities Commission and the new Energy Conservation and Development Commission. Or if the primary gripe is the skyrocketing cost of producing energy, the wrath should be directed at the Arab sheiks and the petroleum companies that have extracted extraordinary profits during a time of public economic duress.

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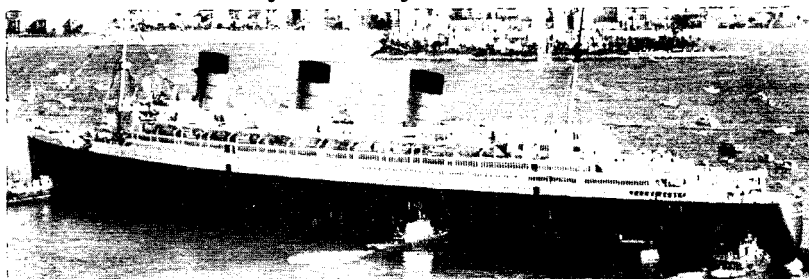
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California's Saudi Arabia

Long Beach oil and the Queen Mary fling

By NANCY LITTERMAN

Throughout her history, Cunard Line's *Queen Mary* has commanded attention and inspired awe. As she completed her final voyage in 1967, 60,000 spectators cheered her arrival at the Port of Long Beach. Yet, not much later, Los Angeles County Supervisor Kenneth Hahn christened her "a monument to stupidity". Now a museum-hotel-tourist attraction, the *Queen Mary* earned her recent notoriety by piling up a series of reconversion-cost overruns that eventually amounted to 77 percent of her original cost of construction.

Eight years ago, the City of Long Beach received approval for the floating museum based on an estimated cost of \$8.7 million. This was hailed as a savings of \$250,000 over plans to build a museum. So far, tidelands expenditures for the *Queen* total \$63 million, plus at least \$15 million in private investment. While the museum netted a \$1.7-million profit in its first two years, adding in debt repayment and maintenance for the ship's costs converts that profit into an operating deficit of \$3.8 million for the years 1971-73.

Overspent funds

Whatever the *Queen Mary* may suggest in terms of prudent use of public funds, that project is not the only instance in which Long Beach overspent available funds. The city annually draws oil revenue from tidelands granted to the city by the state in 1911. The state intended then that Long Beach capitalize on the navigational trade opened up by the Panama Canal. Consequently, the trust set up in 1911 to handle these funds specifies that spending be limited to the operation and maintenance of a harbor or other navigational and maritime facilities.

Through 1974, revenue from this tidelands trust totaled \$347.3 million. Although this income is supposed to be spent on shoreline-related improvements, Long Beach was forced to float a \$30 million revenue bond in May 1970 to finance general harbor maintenance. Reason: Revenue in the tidelands fund had been committed to other projects. Two years later, City Manager John Mansell asked the City Council to approve floating a \$2.5 million loan to meet payroll and other expenses to tide the city over until receipt of property taxes. The loan cost \$35,000.

One of Long Beach's annual expenses is an estimated \$1 million to monitor THUMS, the oil combine that oper-

ates the city's major oil-producing field. The state in turn spends almost \$750,000 to monitor the city's monitoring of THUMS (for Texaco, Exxon [Humble], Union, Mobil and Shell). In addition, the city and Controller Ken Cory have charged that East Wilmington gas-and-oil revenues were lost through payments made at below-market prices.

Birth of a problem

Long Beach's financial situation in general and the *Queen Mary* project in particular arise from a relationship established between the state and the city. In 1937, the City of Long Beach found itself sitting on one of the state's largest oil deposits. In 1938, amid a flurry of illegally granted leases and charges of slant-well drilling in nearby Huntington Beach, the state Lands Commission was created to prevent such a situation from ever developing again.

From the outset, the provisions of the 1911 trust have been a source of conflict between the city and state, both philosophically and economically. The city views the tidelands now as a natural asset analogous to its harbor. The state, on the other hand, considers the oil a natural resource subject to the same sort of redistribution as, say, water. If Northern California water is routed south for Los Angeles consumers, why shouldn't oil revenue be shared across the state, some lawmakers (particularly Northern senators) have asked.

Legal decisions have done little to resolve the dispute. In 1938, the courts ruled that, because the state had not expressly reserved mineral rights, the rights were transferred to the city. Subsequently, however, the courts determined that oil revenue was subject to the same spending limitations as the land itself (namely, navigational purposes only). And when Long Beach sought legislation to free half the oil revenue and all the gas revenue from the strictures of the trust, the court held that the released funds were the state's, not the city's.

Subsidence sets in

After the final court decision in 1955, securities appraised at \$122 million were transferred to the state treasury from Long Beach, and the city was left with half the trust. In 1956, the Legislature placed an additional constraint on the city's use of its share of revenue when most expenditures became subject to approval by the Lands Commission. To be approved, projects had to meet both the legal requirements of the 1911 trust and be in the best interests of the state as a whole.

Nancy Litterman wrote "The energy commission's potential" which appeared in the April issue.



As unsettling as were these developments, more were in store the next year, when the city began coping with severe subsidence. Some 22 square miles of land began sinking as extraction of oil cut underground pressure, causing extensive property damage. Faced with a federal suit for \$170 million for damage to government installations, Long Beach passed an ordinance forbidding new drilling. It also launched a massive program to convert existing wells to water-injection drilling to restore the original subsurface pressure. Tidelands money to cover the program costs was freed by legislation in 1958.

Legislative loggerhead

Still, Long Beach had earned widespread notoriety as "the sinking city", a title that did little to generate new investment. The city's growth was stunted, and its downtown stagnated for almost five years.

Then, in 1964 with subsidence under control, the ordinance forbidding new drilling was amended. The possibility of developing the oil-rich East Wilmington field promised a financial feast for Long Beach's starving downtown. The field was a known resource, one of the ten largest fields in the country, and estimated to contain upwards of \$2 billion worth of oil. As Wilmington's potential was realized, numerous legislators sought new distribution schemes to reduce Long Beach's 50 percent share of the revenue. But Long Beach now had bargaining power with the state.

Ostensibly, the dispute was over whether the city or the state could grant the drilling contract. Under Long Beach's charter, the city could enter into a net-profits agreement while the state could not. Since the contract involved no risk because oil was known to exist, a net-profits agreement would be the more favorable approach. But the argument became one of state authority versus home rule, and on these terms the conflict came to a head before the Legislature in 1963 and 1964.

Bogging down

Long Beach sought legislation giving the city a fiscal gusher from the East Wilmington field. The administration of Governor Pat Brown, on the other hand, wanted new revenue to avoid a tax increase. Northern senators, led by Virgil O'Sullivan of Colusa County, asserted that, since the state would soon begin to receive an increasingly large percentage of the tidelands revenue, it should exercise majority control over the field.

The city's share of oil revenue was also a source of conflict. Hale Champion, Brown's director of finance and a

member of the Lands Commission, recommended that a ceiling of \$165 million be placed on Long Beach's share of the funds. City Manager Mansell sought \$400 million.

It soon became apparent that Long Beach held the upper hand. If the city disagreed with the state's decision, it could take the matter to court and delay production for years. At the time, Mansell placed the cost of delayed revenues at \$140,000 a day. Champion urged the state to revoke the city's trust if a compromise wasn't reached, a recommendation many observers considered to be politically naïve.

Champion made his recommendation before the Joint Legislative Committee on Tidelands; the powerful speaker of the Assembly, Jesse M. Unruh, had appointed himself chairman (and Assemblyman Joseph Kennick of Long Beach as a member) of the committee. And he was squarely in Long Beach's corner. Unruh was politically and socially friendly to Long Beach community leaders, especially the late publisher Herman Ridder and general manager Samuel J. Cameron of the city's newspaper, the *Independent Press Telegram*. The Senate forces of Virgil O'Sullivan were no match for Unruh.

Agreement found

A final agreement was signed in 1964 as Chapter 138 of the California codes. Under it, the city will accumulate about \$250 million over 35 years. The present annual amount is approximately \$9 million. (The state received \$93.9 million in 1973-74.) After the year the city's fund reaches \$238 million, subsequent payments will be limited to \$1 million yearly.

Because of its experience in handling problems of subsidence, Long Beach successfully argued for control over the day-to-day operation of the field, as well as the right to award the contract. The state retained the authority to oversee all budgetary requests for the field's operation.

The legislation laid to rest the redistribution question. But also included in the bill was a concession to Long Beach. The state rescinded the Land Commission's required discretionary approval for tidelands-fund expenditures. After 1964, the commission had authority to determine only whether an expenditure was legal, not whether it was in the state's best interest.

Spending money

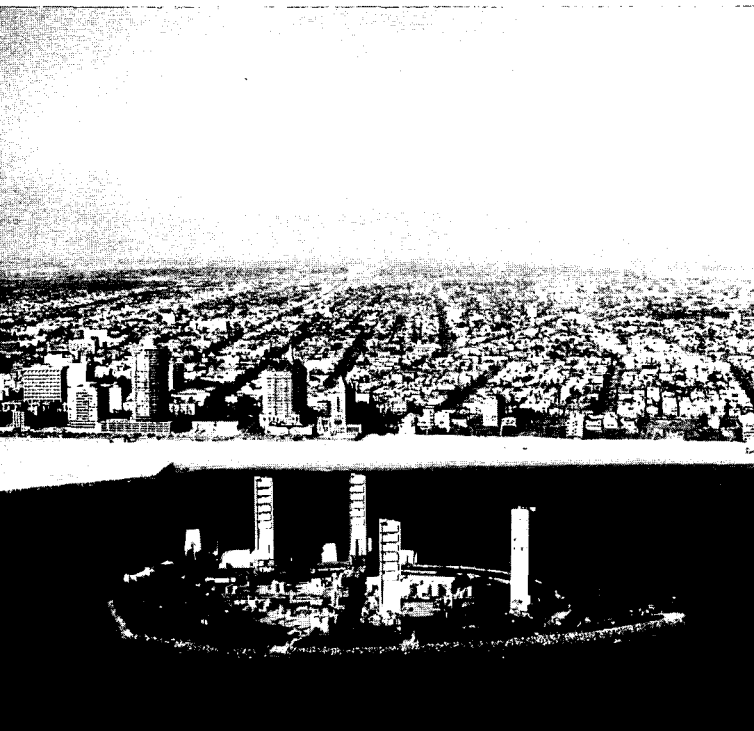
This settlement tore a gaping hole in the state's control over Long Beach; a loophole large enough to allow the entire four-year, \$63 million *Queen Mary* project to sail

through the tidelands fund, past the state Lands Commission and into the Port of Long Beach with barely a ripple.

The need to find a use for tidelands fund revenue before a backlog accumulated had always plagued Long Beach. Testifying before the joint committee, Long Beach City Councilman Ray Kealer bluntly announced, "The state's desire for money is the motivating force behind [these] legislative hearings. . . ." Long Beach never lost sight of the fact that unspent money would only serve to tempt the state's eager hands.

Enter, the Queen

Concurrently, the city was deeply in need of an economic boost. Buildings were deteriorating and busi-



ness was stagnating in its downtown center. The city fathers commissioned an advisory study from Real Estate Research Corporation to find out what could be done for the city. Real Estate Research's answer in April 1966 called for "a major international tourist attraction" as the key element within a larger offshore recreational area to bolster the city's sagging economy.

One month later, Cunard Lines announced that the *Queen Mary* would be put up for sale in 1968, but the date was pushed ahead in July 1967 after the ship's insurance carrier dropped coverage for what had been planned as a final season of trans-Atlantic service. The newspaper's Cameron said that a "consensus decision was made to bid public tidelands funds on the *Queen Mary*."

The *Independent Press-Telegram* has been a staunch supporter of the *Queen Mary* project since its inception. (Around Long Beach and in Sacramento, it is acknowledged that at the time Cameron and associates "called the shots in Long Beach".) Cameron later became the president of the Museum of the Sea Foundation, a non-profit corporation formed to operate, under contract with the city, the museum aboard the *Queen Mary*.

A maritime museum had officially been proposed to the state Lands Commission in 1961 at a cost of \$8.9 million. The city now asked the commission for funds to acquire the *Queen Mary* for conversion into a museum. It claimed that doing so would save \$250,000.

Long Beach was awarded the *Queen* for \$3,450,000. By the time she berthed in Long Beach and delivery charges were added the total cost came to \$5,367,240. But the real expenditures began coming in April 1968, when the city's consulting team of McFarland/Latham, Tyler, Jensen, Inc., recommended that the city throw out the traditional museum concept in favor of a broader "Oceanarium". This required increasing museum area from 140,000 square feet to 400,000; the commercial area grew from 190,000 square feet to 350,000.

At the same time, the new philosophy and methodology of the exhibits demanded major changes in the ship's structure and support system. Initially, it was thought that conversion would require only some equipment removal and structural conversion work on the top two decks, leaving most of the ship intact. To realize the broad "Oceanarium" concept outlined in the McFarland study, all six lower decks were needed, in addition to the two upper decks. Air-conditioning and heating systems had to be installed. To accommodate Jacques Cousteau's "Museum of the Living Sea" the *Queen's* lower ballroom required major structural work to prevent the ship from sinking at its center.

Chill winds

Administrative incompetence characterized the project from the outset. For example, since the *Queen Mary* was built to operate mostly on the North Atlantic it was not air-conditioned; installation of air-conditioning added \$2.3 million to the project's cost. Because of plan changes, ducts installed in the museum area had to be ripped out and re-installed. Further, air-conditioning blowers stored on the dock and deck were damaged by weather before installation; not only had the blowers deteriorated, but one contractor told the city that they were "extremely hazardous" in any case.

Calblasco, a painting firm, was paid \$8,260 to clean and prime the *Queen's* No. 2 funnel. After this was done, the newly primed stack was taken down so that machinery and equipment could be removed, at which point all three stacks were found to be too rusty to repair. Replacements cost \$236,074. In reviewing the expenditures of the *Queen Mary* project, the Lands Commission took independent estimates for the insulation work done. Against the \$1.7 million paid by the city for insulation, these estimates placed the value of the work at only about \$400,000.

Three days after the *Queen's* opening, John J. Fee, a retired rear admiral who directed the project for three years, was found dead in the garage of his home. His death, by carbon monoxide poisoning, was ruled a suicide. (Fee had once compared the renovation of the *Queen Mary* to "building a bridge inside a tunnel".)

By October 1968, the Lands Commission had approved \$8,575,155 for the *Queen's* conversion. By December, a series of proposals submitted by the city sought another \$17 million. The commission had 60 days to determine the legality of the proposals. (Any money spent renovating the ship for commercial purposes was illegal under the provisions of the trust.) The commission requested supporting data; the city held back until nearly the end of the review period, then submitted hundreds of estimates based on construction outlined in the McFarland "Oceanarium" proposal. "It was like playing a football game with the clock running out," recalled a commission employee. "They just kept hold of the ball."

Assistant Attorney General Jay Shavelson proposed an alternative. Under it, the city could proceed with the project while the commission reserved the right to sue to recover any trust funds later determined to have been

spent illegally. Such an audit was to begin "two years after Long Beach gave notification that its final expenditures were complete." No such notification has been given.

Assembly investigation

The state Lands Commission is composed of the state controller, the lieutenant governor, and the director of finance, and is served by a staff of nearly 200. No commission action was taken regarding the *Queen Mary* or the City of Long Beach until 1970, when Assemblyman Willie Brown of San Francisco took up the question. Brown started an investigation in his capacity as chairman of the Ways and Means Committee. Routinely, the chairman receives the Lands Commission's annual report, and the 1970 edition noted that the city had spent \$33.3 million, later re-calculated to be \$44.9 million, "without any final determination as to whether only a part of all such expenditures are legal." After public hearings, Assemblyman Brown called for a two-year Lands Commission audit documenting all expenditures for the *Queen Mary*.

State options included filing suit, pressing criminal charges or revoking Long Beach's trust. Pressing charges or moving to revoke the trust would have been messy politically. (In 1973, Assemblyman Brown was gearing up to run for speaker, and antagonizing Long Beach would have been an uncomfortable stand to take.) On the other hand, if the state should spend a million dollars or so in carrying the case, the outcome could only confirm the state's suspicion that the City of Long Beach had indeed spent tidelands funds for commercial enterprises in violation of the trust. That would require Long Beach to repay from its general fund something like \$15 million in misused oil money. In other words, tax revenue would be diverted from such needs as public works to reimburse the tidelands-revenue fund, where it would still be subject to the non-control that spawned the problem initially.

When Brown and other state officials realized the difficulty of finding a rational solution, according to consultant Robert Connelly of the Senate Finance Committee, they decided to settle. Long Beach transferred \$7.5 million from its municipal fund to the tidelands fund — half the amount misspent. This money, plus up to \$42 million already in the fund, can be used only for the city's latest project, Pacific Terrace Sports Arena and Convention Center. (Any expenditure over \$49 million must be approved by the Lands Commission.)

Fingering the guilty party is no easy task. State Lands Commission staff members seem to feel that much of the

On the other hand . . .

Long Beach city officials, far from ashamed of the way they have handled their stewardship of the tidelands oil fields, see these accomplishments:

- The East Wilmington field has produced more money for the public than any other drilling project on state-owned tidelands, partly because the city fought many of the state's battles against the federal government.
- Land subsidence in Long Beach was halted through controls demanded by the city.
- Because the city insisted, drilling rigs were installed on landscaped islands and the city's shoreline has generally been enhanced.
- New recreation areas have been opened and additional economic stimuli developed through use of the city's oil revenues.

problem rests with the indecisiveness of the Legislature. The state wants as much of the Long Beach revenue as it can get, but the lawmakers are reluctant to give the commission enough authority. Said one employee: "The Legislature ties our hands behind our back, binds our feet, blindfolds us and then tells us to 'go out there and get 'em'."

Other state officials counter this, however, saying that the commission is coping out now, that the staff was sensitive to the indifference of the commissioners themselves and simply didn't press the issue. It was possible in 1968, according to this view, for the commission to have ruled the \$17 million expenditure illegal and left the burden of proof with the city instead of the state. Asked to



comment on the Lands Commission's recommendation to the Legislature that the state either give the commission more control over the city or release it from the responsibility entirely, one state official scoffed, "Listening to the Lands Commission is like asking the fox how to lock your chicken coop."

State's decision

Of the options left open to the state now, all begin with a re-examination of the state's intent. Primarily, the state must decide whether it has any obligation to the city because Long Beach has suffered both physical damage from subsidence and must live with the blight of Signal Hill. If so, the determination still must be made: Is this kind of responsibility relevant when hundreds of other cities, including Long Beach, could use tidelands money to help revive deteriorating schools and inadequate health and transportation services? Does the state actually trust the city as full grantee or does the greater wisdom of the state predominate?

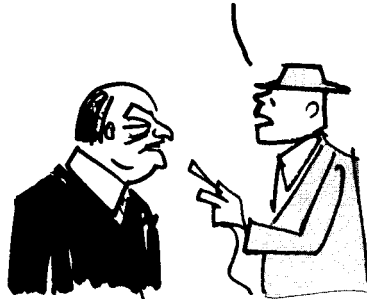
Several ideas are in the works. One is to play down the financial aspect of the commission and replace the director of finance with the secretary of resources. Another is to add an elected official to the commission.

Meanwhile, construction in downtown Long Beach continues, the city's promotional campaign for Pacific Terrace Sports Arena and Convention Center is in full swing, and the *Queen Mary* — well, she's still at bay. 

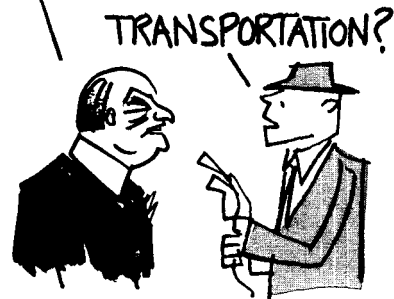
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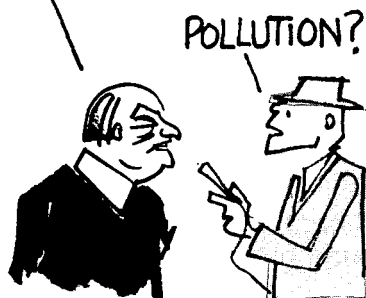
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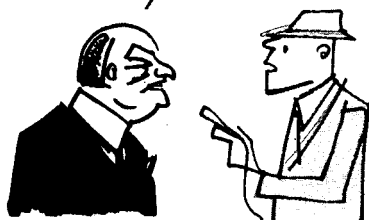
SURE, WE'VE
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WITH ALL
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WHAT MAKES
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THE
MAYOR!



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THE GREENING OF GOVERNOR BROWN



- *What's his philosophy?*
- *What has he accomplished?*
- *Who are his closest advisers?*

By ED SALZMAN

Those of us, amateur and professional, who are fascinated by political animals find it hard to operate without easy-to-read labels on each of the inhabitants in the zoo. We like to categorize them as "liberals," "conservatives," "mavericks," "moderates," "populists," "reactionaries," and the like. We even refine these into subspecies like "McGovern liberals" and "Reagan conservatives". Part of the consternation about the discovery of a new political species, Governor Edmund G. Brown Jr., is that he does not fall readily into any known category and his conduct is thus not predictable. Jerry Brown is in a classification by himself, and perhaps that is why those of us who write about politicians for a living have been engaging in psychoanalysis without licenses and have been writing an inordinate number of words about the state's new leader, his Spartan lifestyle and his attack on the sacred-cow institutions of government in California.

Jerry Brown was a simplistic secretary of state. He employed the office to its fullest advantage through the issue of political reform, the ideal platform for the Watergate era. As a candidate for governor, he employed an elementary campaign litany — that a "new spirit" was needed in Sacramento to clear away the evil ghosts brought to Sacramento by his Republican predecessor. The implication was that he was a standard liberal like his father. The 37-year-old Brown told very little about what he would do as governor, preferring not to risk losing his lead in the polls.

Brown and Brown

In the four months that he has been governor, a far different Brown has emerged. The real Jerry Brown fits none of the usual philosophical patterns. With Ronald Reagan, it was fairly easy to deduce what the Governor might do on a specific issue because his overall political bent was obvious. Reagan was an expert at the general; he left details to others. Likewise, there was no great mystery to the administration of Edmund G. Brown Sr. It was liberal and pragmatic. Pat and Jerry Brown are perhaps even more different than Jerry Brown and Ronald Reagan. Jerry Brown does not provide us with a handy guide to his philosophy of government. Decisions apparently do not flow from an overall philosophy. What philosophy there is consists of the sum of the actions taken on specific problems.

For Brown is a detail man. He is a lawyer who ex-

amines the legal ramifications of proposals. He is an inquisitive academician who rarely accepts the conventional wisdom. He is a tireless investigator who is turning elements of the state bureaucracy upside down. He has taken an almost reactionary stand on the expenditure of state funds and has irked reflex liberals and state institutions who felt that the state's pocketbook would pop open when Brown replaced Reagan. This the public is supposed to like, but the average Californian can hardly understand Brown. Why then do the polls show Brown so popular among the masses? (The California Poll showed him with a 37 percent good-or-excellent rating and only 5 percent poor.)

Open doors

An old theory holds that it is far easier to win legislative approval for a complex \$197 million engineering contract than \$25 for coffee for the members' lounge. Few in the Legislature know much about engineering, but everyone is an expert on coffee. Likewise, few Californians can fathom the intricacies of the state bureaucracy under attack by Brown, but everyone understands Brown's statements on the more material aspects of life — his refusal to ride in a limousine, his modest apartment near the Capitol, his return of all gifts (and the wonder here is why this hasn't been done before), his stand against high salaries for public officials, his removal of the paper-shredders (leaving employees to destroy documents by hand), his ban on the state's providing briefcases to certain officials, and his refusal to use a signature machine (except for diplomas). Brown claims he was never bothered by the oath of poverty he took as a Jesuit seminarian, and his lifestyle as governor bears this out.

No longer is there an imperial appearance to the Governor's office on the first floor of the Capitol annex. The doors to the suite are wide open, and there always seems to be a hubbub in the reception area. It is easier now to penetrate the sanctity of the office and get an audience with one of the Governor's aides. Although the mood is different, many of the secretarial faces are the same. Unlike Reagan, Brown did not automatically assume that most of the clerical help should be replaced. (Holdover receptionist Jackie Habecker, incidentally, has a remarkable memory for faces and names. She has been known to call a visitor by name after having only seen him on one previous appearance a decade before.)



The Governor himself spends an average of 15 hours a day in the office — when he isn't making unexpected visits to state agencies or making a rare public appearance. He had hoped to spend every weekend at his home in Los Angeles, working on Saturdays and relaxing on Sundays. But on several weekends, he has been forced to stay in Sacramento to finish his agenda.

As secretary of state and as a candidate for governor, Brown's top confidants were Tom Quinn and Richard Maullin. They now have extremely important posts as head of the Air Resources Board and the new Energy Conservation and Development Commission, respectively, but they are no longer Brown's chief advisers. It became apparent during the campaign that there were differences of opinion between Brown and Quinn, and the location of Quinn, the political tactician, away from the Governor's office has opened the door for others to become Brown's chief advisers.

New voices

Who is important in the Brown administration? Gray Davis, the Governor's executive assistant, is by the nature of his position extremely influential. When he calls a department, its chief snaps to attention. The youthful Davis, who is not one of Brown's old friends, is a man the Governor counts on for action and for routine administration of the office. But a man down the hall, Legal Affairs Secretary Tony Kline, probably has far more influence with Brown in terms of appointments and policy. Kline was a Brown roommate at college, is personally close to him and has undertaken several major assignments for the Governor. It is apparent that Brown has extreme confidence in Kline, the former head of a public advocate firm. Kline's influence is especially strong in appointments, but Brown also calls on him regularly for help with problem-solving because the Governor analyzes problems from the viewpoint of a lawyer and Kline is his legal advisor.

Another former college pal, Don Burns, is secretary of the Business and Transportation Agency. Burns probably would be as important as Kline if he occupied an office in the Governor's complex. As it happens, he is across the street in the Transportation Building and so sees the Governor less than Kline does. Nevertheless, Burns is still one of the most important figures in the administration. And when he called for the abolition of the Highway Commission and an end to construction of freeways in favor of mass transit, Burns was speaking with more authority than would the ordinary department head.

Cabinet catalyst

Cabinet sessions under Brown can be long and windy

case-study affairs with problems examined as only a bunch of lawyers can analyze them. Someone had to emerge as a catalyst to bring the debates to term, and Secretary of Agriculture and Services Rose Bird is the one who marches into the morass of verbiage and points to the heart of the issue. Her impact on Brown and the administration has been great, and she may well be the most brilliant among Brown's collection of the best and the brightest.

"The best and the brightest" was employed by writer David Halberstam to describe the brainpower brought into the national government by John F. Kennedy. Similarly, Sacramento had never been raided by a group quite like that assembled by Brown. The first couple of waves of appointees consisted heavily of lawyers with backgrounds in the California Rural Legal Assistance, the American Civil Liberties Union, public-defender offices and non-profit, public-interest law firms. Kline, in charge of the initial screening of applicants, was attracted to people with backgrounds similar to his own, and he brought some of his own associates into the administration.

After the initial infusion of this young legal talent into the administration, the appointments started taking a more traditional look. The new water resources director, Ronald Robie, had been a member of the Water Resources Control Board. The new fish and game director, Charles Fullerton, came from inside the department. Fullerton campaigned hard to ingratiate himself with his new bosses and managed to get one of the most-sought posts in state government. Two Reagan administration executives, Verne Orr and Don Livingston, were named to the state's Little Hoover Commission (on government efficiency and economy).

Detail-man Brown personally interviewed all finalists for major positions, some candidates more than once. He has spent more time than any governor on appointments, and he claims that he will not name anyone to a judgeship without first having interviewed the prospective jurist. This could be an extremely large order, since there are at present about 50 vacancies. But Brown takes the position that judges, once appointed, normally serve for life and that it is the governor's personal responsibility to make certain that only the highest-caliber candidates are chosen.

Daily agenda

The interviewing of candidates for appointment then will always take a large chunk out of the Governor's daily schedule, which begins at about 9:15 a.m., when he checks with Gray Davis about the day's docket, important phone calls and appointments. Thereafter, Brown goes to work on the day's problems, grilling those running agencies, calling on legislators with special knowledge in areas under investigation and, generally, prodding elements of the massive state bureaucracy. He might burst into an agency and start firing questions. Or he might attend a meeting of the University of California Regents or the State University Trustees, again asking probing questions and prolonging meetings to unprecedented lengths. In short, "General" Brown is attacking the institutions of state government along a broad front. Whenever Brown feels he has finished his investigative work for the day, he calls it quits and walks to his apartment. It is often 11 p.m. or thereabouts.

One appointment Brown keeps religiously is the 5 p.m. meeting every Monday with Assembly Speaker Leo T. McCarthy and Senate President pro Tempore James R. Mills. Perhaps more than any other governor, Brown has

clear in his mind the relationship between the executive and legislative branches of government, at least in the opinion of a man who should know, state treasurer and former Assembly Speaker Jesse M. Unruh. Brown has concentrated on getting what he wants from the plethora of executive departments, leaving the writing of bills largely to lawmakers. He confers with McCarthy and Mills to coordinate Democratic policy and to get his programs through the Legislature without appearing heavy-handed.

Uncharted area

This does not mean, however, that Brown is abandoning all bill formulation to the Legislature. Burns, for example, was a key figure in development of a state housing bill. And Bob Williams, an attorney who has worked as an adviser on legislation to both Reagan and Brown, learned the hard way that Brown recognizes his role in the legislative process. The first time Williams brought Brown the printed copy of a measure to sign, Brown questioned him closely about the particulars of the bill as though he were the key opposition witness in a murder trial. Now, Williams is prepared to provide the history and rationale behind every part of every bill before it goes to the Governor's desk. The detail man takes nothing for granted.

Brown does have his troubles within the Legislature among those who want more money spent immediately for programs in health, education and welfare. Assemblyman Willie Brown of San Francisco called himself "the good Brown" in a speech to teachers seeking more state funds. But the Republican loyal opposition has been muted almost completely by the go-slow approach to spending, and most Democrats are willing to give Governor Brown a chance to get his administration organized. The Governor's popularity with the electorate helps him with legislators, who have a predatory instinct to fall upon the wounded rather than the strong.

If legislators have no real feel for where Brown is headed, how can the public? The Governor is attacking problems piecemeal, and there is no way of knowing what will happen after Brown feels he has tamed the many-tentacled bureaucracy and is ready to start pushing a program of his own. There are no roadmaps pointing the way, because the beginnings of the administration have been so out of the ordinary. The odds are, though, that no thread will run through Brown's programs. Instead, he will likely let his case-study investigation of each problem lead to a "logical" solution. And these solutions in many cases are apt to be unconventional.

Brown vs. education

If Brown isn't fighting with the Legislature, he is sailing a collision course with the state's massive education establishment. He has almost single-handedly killed a so-called cost-of-living increase for public schools. Brown reflects a growing body of opinion in the Capitol that the state has been throwing more and more money at school districts, most of which went into salary increases for teachers, while, if anything, the level of educational excellence declined. Money might become available for schools if there is a feeling in Sacramento that the children will get more out of it, but the pipeline from the state treasury to teacher paychecks has been at least temporarily severed.

Brown has made it a point to attend meetings of the University of California Regents and the State College and University Trustees. He is a member of both governing boards, and he has completely upset the solemnity of

their proceedings. Brown has come to meetings prepared to discuss details and ask probing questions. Administrators have been put on the grill, and the sessions have gone on into the evening (when any self-respecting board member is usually enjoying the cocktail hour).

At a meeting of the state university trustees, Brown tackled a sacred cow and must have sent shivers up the spine of the leadership of the education establishment. Why, he asked, do administrators get higher pay than teachers when the basic mission is teaching? He received no response, but some board members said privately later that they feel that the academic iconoclast has shown materialistic humility but very little personal humility. Translation: They resent very much Brown's violation of the rules of the club.

'Squid process . . .'

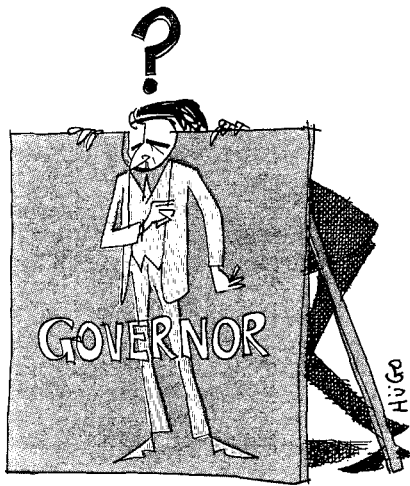
The University of California has taken even harder knocks from Brown than the state college and university system. UC officials were hoping that the stringent fiscal policies of a Ronald Reagan would be followed by an open-handed era under Brown. Now, some UC officials wish Reagan were still in office. Brown has challenged the salaries of top UC administrators (the director of oceanography at the San Diego campus gets \$56,500 a year, more than the Governor's \$49,100). Brown said he was amazed to find that 350 UC administrators earn more than \$30,000 annually.

But the most painful blow was struck when Brown was shown a five-year academic plan for the University that took years to develop. The UC administration's document was labeled by Brown a product of the "squid process — an abstract statement that tells me absolutely nothing . . . spurts of ink spread across many pages in patterns that look like words but mean nothing." This procedure is followed, he added, to protect an organism from attack from the outside.

Instead, the report was attacked from the inside by Regent Brown in an extremely ungentlemanly way. The genteel thing for Brown to have done would have been to take UC President Charles J. Hitch aside and give him the squid pitch in private so that the University would not be subject to public derision. In other words, Brown is not an object of some contempt within the UC hierarchy for what he says but for his lack of manners.

Within the broader state-government community, there is general revulsion at Brown's aggressive and blunt challenge to the status quo. Brown has made it clear that he thinks that much of state government costs too much or works ineffectively. He has set some of his key aides — Gray Davis and Health and Welfare Deputy





Secretary Bob Gnaizda — to work on specific problems. He has taken budget analysts who know what's wrong with some departments and has assigned them temporarily as agency executives. Whether it needed it or not, the bureaucracy of state government is being shaken like a fruit tree at harvest time.

Thus, while Brown intentionally conducted a low-key campaign for governor, the early months of his administration have been anything but uneventful. He has been pictured in the media as abrasive in dealing with state agencies, Spartan in his personal lifestyle and perhaps a bit unstable in terms of consideration for higher office. The favorable polls would indicate that most of the publicity has worked to Brown's political advantage, at least within California. For a time, the Capitol press corps complained that Brown was not conducting enough news conferences. But Brown has made himself available on the fly, and anyone who really needs to reach the Governor for questions on a story can do so. Brown doesn't like formal press conferences (although he used them for maximum effectiveness as secretary of state). He prefers to meet correspondents in his large conference room rather than in the press-conference room down the hall. Brown has granted few long interviews, and those who have met with him privately have generally been national columnists such as Joseph Kraft and Marquis Childs. (Childs wrote a more sympathetic piece than did Kraft. The *San Francisco Chronicle* removed the first sentence of the Kraft column, which made it read more adverse to Brown than it was.)

The Quinn caper

Robert Fairbanks of the *Los Angeles Times* sprang the first major story that was clearly against the Governor, accusing him of "political blackmail". Fairbanks wrote that Tom Quinn had told a gathering at a San Francisco conference sponsored by *California Journal* that, during the primary campaign, the Brown organization dug up unfavorable material on Bob Moretti and Joseph Alioto, Brown's prime opponents. Moretti and Alioto were then, supposedly, informed of the findings and warned that they would be made public if there were any smears attempted against Brown. Quinn said that Fairbanks had the story wrong and that there was confusion between the primary and general elections.

The conference, held at a San Francisco hotel, was sponsored by the *Journal's* parent organization, the California Center for Research and Education in Government, for a critique of the working draft of a comprehensive study of media-candidate interaction during the 1974 gubernatorial campaign. [See "Making of the governor 1974," *CJ*, July 1974, p. 226.] Participants were told that the conference was confidential because project director Mary Ellen Leary and her staff wanted a totally candid discussion. Nor did they want the findings re-

leased prematurely. Quinn, who had refused requests for interviews from Leary during the campaign, participated in a totally open and cooperative way during the conference.

Nevertheless, the Fairbanks' story — and an even more detailed version by Martin Smith in the *Sacramento Bee* — raised the question about why the Brown campaign might have been taking preventive action against possible smears from opponents. What the Brown camp feared was that a desperate opponent would attempt somehow to brand Brown, a bachelor, as a homosexual. Although an individual's sexual orientation has nothing to do with capacity to govern, this is the kind of personal charge that is impossible to combat, even when composed totally of falsehoods.

Since election day, there has been a marked change in the public Brown. He is much more free-wheeling. No longer feeling a need to play it cool, he is allowing himself to blossom. During the campaign, there was evidence of disagreements between Brown and Quinn, and it is not surprising that the Governor has put some space between himself and his former campaign manager. (Quinn saw at the end of the campaign that the lead was slipping and wanted to commit borrowed money to television commercials. Brown refused, saying he would rather lose in the black than win in the red.)

Brown for President?

The appointment of Quinn to head the new environmental quality agency might help answer a question that is often asked about Brown: Is he running for President? All politicians, by definition, are running for President. (Some, it is said, aspire to even loftier positions.) But if Brown is specifically looking toward the national ticket in 1976, he certainly is going about it in a self-defeating way. He has avoided national conferences. He has tackled the political establishment. He no longer has political operative Quinn at his side. And he does not seem to be engaged in shaping the image of a national candidate. He's working night and day at the details of state government.

Brown has not come forth on many issues, just those in his inaugural address — collective-bargaining for public employees, farm labor legislation, tax reform. His real budget will not be formed until the middle of this month. He is known to be fiscally tight. How tight remains to be seen. But on environmental questions, he seems to take the full conservationist line.

Pity the Republicans, left in shambles after last November's election and now unable to attack the obvious target — a Democratic governor. How can they criticize a man who is tight with the buck, who castigates the welfare system, who wants rapid punishment of criminal offenders, who whacks away at the massive state bureaucracy and who even threatens to refuse federal dollars?

Brown has shown few signs of partisanship. He has called on Republicans as well as Democrats for advice. He appointed top Reagan aides to the Little Hoover Commission, while by-passing for jobs some of those who worked hard in his campaign and hoped to be rewarded. The political animal known as Jerry Brown seems to follow no rules except to examine every tidbit of evidence and to question every previous decision and then do what he thinks right at the time. For those who expect politicians to be consistent, this can be extremely frustrating. For those Californians who happen to be part of the government establishment, it is a time to ignore how business was conducted yesterday as a guide to how it will be run under Jerry Brown tomorrow.

Reenactment of the battle to 'Save Our Coast'

By LANCE OLSON

When Californians voted for Proposition 20 in November 1972, they probably expected to "Save Our Coast" as the proponents of the coastal protection initiative had claimed during the campaign. Yet, just three years later, Californians may witness the re-enactment of the same legislative struggle that led conservationists to turn to the initiative process in the first place. The reason? Proposition 20 provides that the coastal commissions, the regulatory agencies created by the act, are to "self destruct" after they have completed their three-year planning effort to provide for the "orderly, long-range conservation and management" of the coastal zone. But it provides no successor to the commissions to carry on the planning efforts.

For more than two years the commissions have been preparing the plan and, as they near the end of their statutory existence, commissioners, conservationists and developers are all beginning to ask: "What comes next?" The answer appears to be, whatever the succession, a continuation of stringent regulatory controls over coastal development.

Preliminary Coastal Plan

Last month, the commissions released the first complete draft of the plan. It represented the first phase in consolidating the hundreds of different findings and policies previously approved by the commissions. That process provided for a step-by-step review of nine separate planning elements. Tackling such complex issues as transportation, energy, recreation and intensity of development, and operating under a tight timetable, the commissions conducted literally hundreds of public hearings, soliciting comments on the various drafts. The initial result has been publication of a massive

The author is editor of State Coastal Report, published by California Research, a Sacramento governmental consulting firm. He has written previously on land-use for the Journal, most recently as co-author of "The Sea Ranch and the changing times," CJ, January 1975.

document entitled *Preliminary Coastal Plan*. It calls for such ambitious programs as permanent protection of California's coastal agricultural lands, eventual public acquisition of a strip of land along the entire coastal zone, restoration of coastal marshes and wetlands, and restriction of energy-related facilities near the coast.

The plan identifies nearly 60 specific areas where new legislation, much of which would entail substantial new costs to state and local government, would be necessary. The plan also calls upon numerous state and local agencies to carry out many of the recommendations under some form of coastal agency supervision.

The next major step will be to complete 19 public hearings being held through May. The regional and state commissions expect to refine the preliminary plan this summer. The completed plan is to be presented to the Governor and Legislature in December.

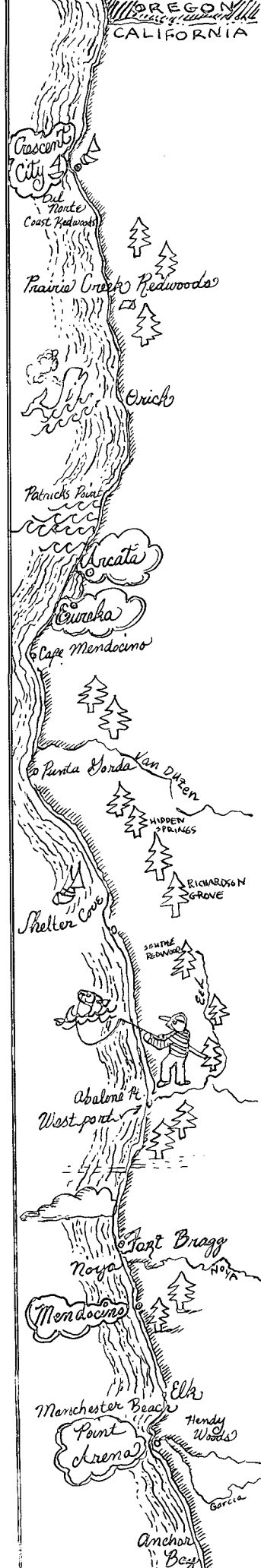
Enabling legislation

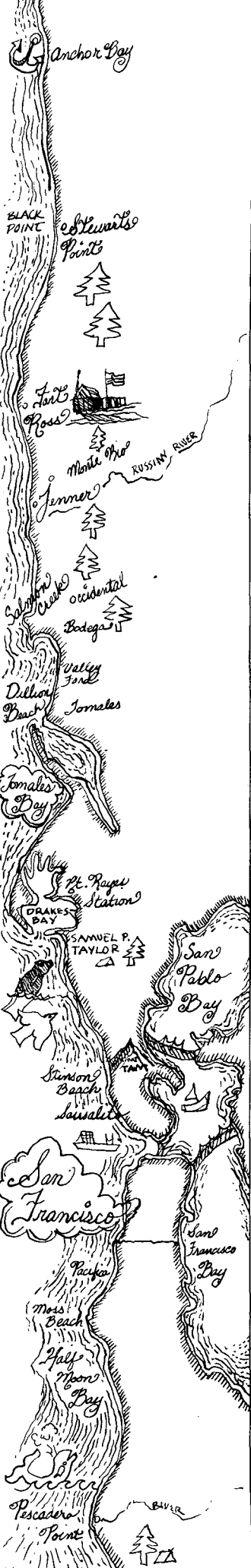
With the coastal plan still in its early stages of development, no one is certain just what the Legislature and Governor will get. However, the performance of the state commission so far suggests to many that the final plan will contain most of the major policies contained in the first draft. According to one regional commission staff member: "People have had the chance to testify. It is primarily the powers, government and funding of the future coastal agency that is up in the air." Those sentiments were confirmed by chief state planner Jack Schoop, who told a group of county officials in early April: "We consider that the testimony on the plan elements is basically closed."

Thus, legislators are likely to be presented a tough proposal aimed at limiting future development along much of the coast. Or, as one former labor leader predicted, it will be a "plan to create a 'no growth' preserve along the coast."

Battle of succession

But it is not likely to be the plan that captures the Legislature's attention. "The key





fight in the Legislature," predicts state executive director Joseph Bodovitz, "will be over the successor agency and its jurisdiction." Indeed, that very issue was at the heart of the first legislative battle over coastal protection back in early 1972. Accompanying the plan, notes Bodovitz, will be draft legislation designed to insure that the plan is enforced. The legislation will deal with successor agencies, their jurisdiction and powers, and adequate funding for many of the plan's programs.

The question of how the plan is to be implemented was deliberately left open to debate. Instead of making specific recommendations, the *Preliminary Coastal Plan* suggests several "alternatives", including the two extremes of total state control or complete local-government regulation. However, the commissions, in light of this conservationist constituency, are expected to call upon the Legislature to continue the commission structure, with one possible major change. Nearly shut out of the current coastal planning and regulatory process, local government may regain much of its previous role in the coastal zone. "To the maximum extent possible," explains Bodovitz, "all these [plan] policies should be carried out by local government." However, he is quick to point out that there remains an overriding statewide interest in protection of coastal resources and that a state regulatory agency is necessary at least to handle appeals and keep the plan up to date.

Reasonable plan

Bodovitz, a veteran of the successful fight to make the Bay Conservation and Development Commission a permanent regulatory agency, maintains that the commissions will prepare a "reasonable bill". Agreeing with Bodovitz is Peter Douglas, a consultant to the Assembly subcommittee on coastal resources and principal author of Proposition 20. "We've got to frame the legislation next year to the needs and realities of contemporary society," Douglas said. "The commissions cannot be caught in the Legislature with unrealistic policies." Like Bodovitz, Douglas shares in the belief that a "strong, but supportable" plan will pass the Legislature. But, as one Capitol staff member, recalling struggles over coastal legislation, quipped: "If it's a good plan, there will be trouble."

Just how much trouble the commissions and conservationists will encounter when they reach Sacramento will depend on a variety of factors. An important one may be the commission's public image within the Legislature and, according to Douglas, "what has surfaced is primarily the negative." A constituent letter was circulated around the Capitol in late March by Senator George Zenovich. The author, who claimed that her family had been unreasonably denied a permit to build a home by the state commission, wrote, "I voted, like thousands of other

Californians, for Proposition 20 because we felt the Legislature had taken no action to protect our lovely California coast. We created a monster." Zenovich, in his cover note, added, "Complaints similar to those of the author of this letter have been all too frequent." Legislative criticism of the commissions has been more extensive than that. Earlier this year Long Beach Assemblyman Mike Cullen charged that the commissions were "assuming a lifespan beyond the plan, and powers far beyond those of mere planning." While inured against criticism from traditional foes, the commissions were shocked when Democratic Assemblyman Charles Warren, testifying on the energy element, warned the state commission last December to stay out of the energy-conservation business. (Warren authored legislation last year creating the new state energy commission.)

Assemblyman Alan Sieroty, author of several unsuccessful coastal protection bills predating Proposition 20, pointed out the depth of legislative dissatisfaction when he warned Bodovitz at a recent hearing: "The commissions can do a better job in terms of its public relations."

Economic consideration

Another important factor to be taken into consideration when evaluating the plan's prospects for next year will be the economic situation. "If there is a preoccupation with the state of the economy," Douglas warned, "the coastal plan may run into trouble." What environmentalists fear is that coastal legislation may be reduced to a simple equation of jobs versus environment. [See "Jobs and the environment," *CJ*, April 1975.]

Although the economy may play an important role in 1976, a recent public-opinion poll, paid for by a business-labor organization, revealed that 38 percent of those polled did not want to see any new development along the coastline. And a full third of those who answered a previous question stating that they favored jobs over the environment did not wish to see any further coastal building.

However, the most important factor next year will likely be neither public relations nor the economy, but something much more important politically: the position of the Brown administration. While the administration remains reluctant to commit itself yet, there are indications that it will line up behind the commissions in 1976. Last month, for example, the agency's deputy director, Larry Moss, a former Sierra Club leader, publicly endorsed the state commission's planning efforts. And when asked if the administration would actively support the continuation of the commissions, Moss responded, "I wouldn't rule out the possibility by any stretch of the imagination."

Regardless of the commissions' current public image or the economic situation, most

How the Plan Would Protect the Coast

After thousands of hours of public hearings, staff meetings and private discussions, the California Coastal Zone Conservation Commission has published the first major draft of the "comprehensive, coordinated, enforceable plan" mandated by Proposition 20.

The 385-page document, containing more than 400 findings and 180 policies, and supported by 26 maps, emphasizes that "the coast should not be treated as ordinary real estate but as a unique place, where conservation and special kinds of development should have priority." Arguing that "the coast is in danger," the plan's authors find that "no society can long survive if it dissipates its resources recklessly."

Regarding the future of the coast the plan asks almost poetically, "Shall it be abused, degraded, its splendor eroded, or shall it be used intelligently, with its majesty and productivity protected for future generations?" The answer to the question is an endorsement for protection and preservation of California's 1,072 miles of coastline. The plan outlines 182 specific recommendations for protecting the coast. Below is a summary of the key policies:

- The basic goals and policies governing coastal zone development should be the protection and enhancement of natural and man-made resources. Related coastal uses should be favored over other coastal developments. Public access to the coast should be maximized, consistent with conservation of fragile resources. Construction should be orderly, balanced, and concentrated in already developed areas, and should not exceed budgeted coastal transportation and recreation capacities.

- The long-term goal (over the next 50

years) of all coastal zone planning and development should be public ownership of and access to a strip of land paralleling the coast.

- Except in already urbanized areas, development planning and management should be conducted on a watershed basis.
- All prime and non-prime agricultural lands now in agricultural or open-space uses should be preserved. Conversion of these lands shall only be permitted for public-service facilities because the characteristics of the land make agricultural use unfeasible, or because the land is a small parcel in an already urbanized area.
- The entire California coastline as it is visible from the water's edge and principal access roads shall be considered a public resource in which development shall be evaluated for its impact on the "coastal viewshed".
- In general, development shall be integrated with and visually subordinate to existing natural features and terrain.
- Public transit shall receive priority over private automobile use in the coastal zone.
- Development controls should be the principal means of relating land-use and coastal resource-protection policies to transportation. Road capacity shall be budgeted to assure continued public recreational uses of the coastal roads.
- Highway 1 in rural California shall remain a two-lane highway.

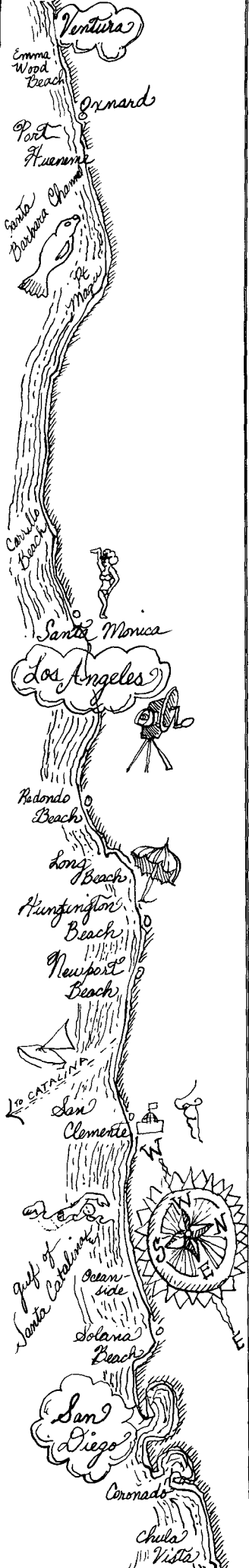
Capitol observers believe that prospects for passage of coastal legislation have improved considerably, particularly in the more conservationist-oriented Assembly. The solid Democratic control of both houses (a result of many new freshman legislators who ran on environmental platforms) is the main reason cited.

Even such traditional foes of state land-use regulation as the California Association of Realtors recognize that the political cli-

mate in Sacramento has changed. Dugald Gilles, the Realtors' lobbyist, wrote recently, "The composition of the Legislature has changed somewhat, and it appears that many of the newer members have some commitment toward adoption of legislation providing further state participation in land-use planning and, conceivably, control."

Although the Assembly may appear ripe to pass coastal legislation, it may be another





story in the Senate. Several months ago, Senator Randolph Collier, dean of the Senate, stepped down as Senate Finance chairman. Oakland Senator Nicholas Petrakis was elected to the important Senate Rules Committee, replacing Zenovich, who had unsuccessfully challenged the leadership of Senate President pro Tempore James Mills. The implication of many of the news stories chronicling these changes was that the "young Turks" had completed their coup in the upper house.

Yet much of the "old guard" remains entrenched. Senate staff members point to the Senate Natural Resources and Wildlife and Senate Finance committees, which are expected to consider 1976 coastal legislation. At best, Natural Resources, which three years ago defeated a conservationist-endorsed coastal bill, has a thin majority of pro-environment votes. Currently, the committee includes Senators Nejedly, Behr, Dunlap, Rodda and Smith (generally considered conservation votes) and Senators Berryhill, Wedworth and Dills (who generally side with private interests). Senator Ayala, the ninth member, is thought to be closely allied with labor and, consequently, not a favorable coastal vote.

The Finance Committee, even with conservation-oriented Anthony Beilenson as chairman, remains a formidable obstacle for any ambitious environmental program. Neither conservationists nor private interests appear to have a firm grip on the committee.

Battle lines form

The struggle in the Senate may prove to be the new testing ground for Sacramento's powerful environmental lobby. And struggle it will be, for as one legislative aide commented, "The same battle lines will be drawn — the same teams formed."

Despite conciliatory statements by conservationist Janet Adams, who spearheaded the successful Proposition 20 fight, that "we don't want to throw down a gauntlet — we want to throw out a white flag," proponents and opponents are already scurrying to their respective encampments in anticipation of the looming legislative battle. Conservationists have begun informal top-level discussions in Sacramento. Planning and Conservation League executive director Bill Press has gone on record that his environmental lobby organization will make the continuation of the coastal commissions its only priority in 1976. Across the battlefield, many private-interest groups are beginning rearmament programs. The California Association of Realtors and California Builders Council — both original opponents of coastal legislation — have begun preparations for participation in the spring coastal commission public hearings in an effort to point out what they believe are some severe economic and social consequences inherent in many of

the preliminary plan recommendations.

Whether a major confrontation over the future of the coastal commissions may be headed off remains doubtful. Even Bodovitz is pessimistic regarding any private-interest support for the plan. "I'm not sure it's in the cards," he said.

A merger?

At least one moderate private-sector group is suggesting a limited alternative to continuation of the commissions past 1976. The California Council for Environmental and Economic Balance argues that a statewide land-use-planning program should be established instead. "A logical alternative to single-purpose planning is to fold the coastal planning process into a state land-use plan," urged the council's executive director, Mike Peevey. "This is the year for serious consideration of state land-use planning," he concluded.

Sharing Peevey's belief that some type of state land-use-planning program is a constructive alternative to the proliferation of single-purpose regulatory agencies is the League of California Cities, which earlier this year published a final draft of its "action plan". The plan would create a state coordinating council and several area and regional councils with planning authority. Primary land-use controls would be left in the hands of local government. According to a league spokesman, David F. Beatty, "If the Legislature were to adopt the action plan, there would be no need for coastal commissions."

Same issues

While Peevey is correct in his observation that state land-use planning is under active consideration, at least in the Assembly, sufficient forces probably exist to prevent the coastal issue from becoming "swallowed up" in the broader question of statewide planning. "In the beginning I think it would be a mistake to abandon the coastal plan in favor of some state land-use plan," cautioned Press. Conservationists recall that business and labor groups made the same arguments in 1972. With the commissions scheduled to go out of existence at the end of 1976, they are fearful that the Legislature will not have acted on the statewide planning issue in time. (This assessment is supported by the fact that the Assembly's land-use task force is already behind schedule.)

Barring any compromise through statewide land-use planning, the continuation of the coastal commissions appears to be coming down to the same issues that led to the first legislative struggles earlier in the decade. Will the Legislature resolve the controversy this time? Or will conservationists be forced to turn to the initiative process once again? The answer remains uncertain. ■

Who's got what among state officials?



First filings under the conflict-of-interest law:

- Little difference between parties
- Freshman McVittie tops asset list
- Governor falls in low-wealth group

By ARNIE BRAAFLADT

According to myth, the Republican Party represents the capitalists of America and the Democrats the working stiffs. But if the statements of personal wealth filed by state public officials are an indicator, you can't tell the politics by the portfolio. A study of the statements, required by the Political Reform Act of 1974 passed by the voters last June, showed only small differences in the general wealth of Republicans and Democrats.

Four categories were used in analyzing personal wealth in terms of investments and interests in real property:

- Less than \$10,000-plus.
- Between \$10,000-plus and \$30,000-plus.
- \$30,000-plus to \$75,000-plus.
- More than \$75,000-plus.

Here is what the study showed in the aggregate:

State Legislators

	Less than \$10,000+	\$10,000+ to \$30,000+	\$30,000+ to \$75,000+	\$75,000 +
Democrats	22/79 (28%)	30/79 (38%)	13/79 (16%)	14/79 (18%)
Republicans	9/40 (22.5%)	14/40 (35%)	6/40 (15%)	11/40 (27.5%)

Although differences between the two legislative groups are slight, noticeable variations show up in the lowest and highest categories. Five percent more Democrats than Republicans are in the lowest-assets classification and 9.5 percent fewer from Democrats' ranks are in the \$75,000-plus group.

Two partisan statewide constitutional office-holders,

What the numbers mean

State officials' investments and interests in real property — required to be disclosed under provisions of the Political Reform Act of 1974, an initiative approved by the voters last June — were totaled in the analysis for this article. Minimum values were used. For example, if the official checked a box on the disclosure form labeled "exceeds \$1,000 but does not exceed \$10,000" next to the entered investment, the investment was counted as "\$1,000-plus". If the office holder checked a box labeled "exceeds \$100,000", the entry was counted as "\$100,000-plus". *Actually a \$1,000-plus investment or interest in real property might be worth as much as \$10,000 and an investment with a value exceeding \$100,000 could be worth millions.*

Because of the unspecific financial details required under

Proposition Nine, minimum values were used. In calculating totals, reported assets exceeding \$1,000 but not \$10,000 were counted as \$1,000-plus; those exceeding \$10,000 but not \$100,000 were recorded as \$10,000-plus; and those exceeding \$100,000 were listed as \$100,000-plus.

Personal residences were not included because the disclosure forms do not require officials to report their values. The analysis does, however, note which legislators have no economic interests *except* their residences and others having both no interests and no residences. Income was not included in the analysis because it was not required. (Income from January 7, 1975, must be reported in later statements.) Certain assets excluded from disclosure-reporting

requirements were not included unless listed voluntarily by the official (rare). Excluded under disclosure requirements are time or demand deposits in financial institutions, shares in a credit union, insurance policies, government bonds, investments or interests in real property with values not exceeding \$1,000.

A total of 130 disclosure forms were studied — forms filed by assemblymen, state senators, statewide constitutional officers and members of the State Board of Equalization. A "minimum wealth" total was calculated for each official and the person's name was placed in a category corresponding with the total. Statements of Economic Interests are available for public inspection at the office of the Fair Political Practices Commission, 926 J St., Sacramento 95814.



Bill McVittie

Michael Wornum

Alan Sieroty

five state senators and 13 Assemblymen listed investments and real property with values totaling more than \$100,000. Democratic Assemblyman Bill McVittie of Ontario had the highest total — \$514,000-plus — with investments exceeding \$113,000 and interests in real property of at least \$401,000. (He also filed the thickest statement, attaching 78 pages of "exhibits" from county recorders' offices.)

Freshman Democratic Assemblyman Michael Wornum of Marin County included at least \$31,000 in investments, and real-property interests exceeding \$451,000. Wornum's total, \$482,000-plus, includes more than \$340,000 in equities in apartment houses. The vice chairman of the Assembly Resources and Land-Use Committee stated that his children own two of the

equities included in his total — one worth more than \$100,000, the other \$10,000-plus.

Another Democrat, Assemblyman Alan Sieroty of Los Angeles, had the third highest total. Sieroty, a member of the Assembly Ways and Means Committee, listed \$409,000-plus in investments, and interests in real property exceeding \$51,000 — a total surpassing \$460,000.

Republican Senator Clare Berryhill of Modesto follows the three wealthy Democratic Assemblymen. Berryhill reported a total of \$237,000-plus in investments, and real estate interests exceeding \$102,000. The Senate Agriculture and Water Resources Committee vice chairman has a combined total of \$339,000-plus, which includes at least \$100,000 in MACL Development, which breeds and races horses and has various property holdings.

State Controller Kenneth Cory, whose wealthy backers were an election controversy, showed investments of \$220,000-plus, including a \$200,000-plus "Kobe Enterprises" partnership interest, in reaching his total of \$320,000-plus. Also counted in Cory's total is a \$100,000-plus partnership interest in Snowmass, a Colorado ski resort.

Listed below in descending order are the total investments and real-property interests of 15 additional high-asset state officials who filed the financial disclosure statements required by Proposition Nine.

A roster of other high-asset state officials

Assemblyman John R. Garamendi, a Lodi Democrat. Investments exceeding \$192,000, \$24,000-plus in real estate interests and \$100,000-plus in security interests in parcels. The vice chairman of the Finance, Insurance and Commerce Committee has a 50 percent interest in Spring Hill Properties, which accounts for \$200,000-plus of his \$316,000-plus total. Garamendi, also a member of the Agriculture Committee, listed his wife's separate property of \$91,000-plus in his total.

Republican Assemblyman Robert M. McLennan of Los Angeles, a physician. Investments totaling \$224,000-plus and \$40,000-plus in real-property interests; total, \$264,000-plus. A half ownership in two \$100,000-plus apartment buildings accounts for a major portion of the total.

Robert Beverly of Los Angeles, Assembly minority floor leader, listed a law partnership, land and stock investments exceeding \$22,000 and real-property interests of \$140,000-plus; total, \$162,000-plus. A \$100,000-plus Manhattan Beach property, co-owned with his wife, is included.

Freshman Senator Alan Robbins cited three limited partnerships in apartments under investments and five equity interests in the real-property category. The San Fernando Valley Democrat has investments exceeding \$111,000, interests in real property of \$32,000-plus and a \$143,000-plus total.

Senator Dennis E. Carpenter's \$142,000-plus total is mostly in real property. The Orange County Republican showed more than \$101,000 in real-estate interests, including at least \$100,000 in Placer City. He listed \$41,000-plus in investments, including two different stock holdings, two limited partnerships and money owned from dissolution of his law practice.

Assemblyman John R. Briggs' listings exceed \$140,000. The Orange County Republican counted \$115,000-plus in investments — including more than \$100,000 in insurance-agency stock — and in excess of \$25,000 in real-estate interests.

State Treasurer Jesse M. Unruh finished twelfth. The former Assembly speaker listed investments in excess of \$16,000 and real-property interests of \$121,000-plus. The \$137,000-plus total includes Unruh's \$100,000-plus Spring Oaks Ranch, his wife's Manhattan Beach home (\$10,000-plus), a 25 percent, \$10,000-plus partnership in undeveloped San Diego County land and six \$1,000-plus stock holdings. The Democratic Treasurer did not indicate the value of his partnership interest in Pacific Holiday Towers.

Senator Ralph C. Dills, a Gardena Democrat, listed \$122,000-plus, all as interests in real property, including four lots and one house.

Freshman Democratic Assemblyman Terry Goggin of San Bernardino holds \$100,000-plus in American Telephone and Telegraph bonds in trust along

with three equities with a combined value exceeding \$21,000; total, \$121,000-plus.

Assembly Democrat John E. Thurman of Modesto is sole owner of a dairy worth more than \$100,000. The Agriculture Committee chairman also listed \$11,000-plus in other investments, including \$10,000-plus in cooperative creamery revenue and more than \$1,000 in legislative retirement funds. Adding 30 acres of Modesto property with an equity exceeding \$10,000, his total exceeds \$121,000.

Leroy F. Greene's partnership interest in Mercy Medical Center with a value exceeding \$100,000 is the major portion of the Assemblyman's \$120,000-plus total. The Democratic chairman of the Education Committee valued his consulting-engineer proprietorship at \$10,000-plus. He also lists one \$10,000-plus equity. Greene, of Sacramento, placed no value for a second listed equity.

Ken MacDonald, a Ventura County Democrat, listed \$110,000-plus in investments and an Ojai lot with a value exceeding \$10,000 in his statement. The Assemblyman valued his wife's separate investments at \$76,000-plus of the \$120,000-plus total. MacDonald's own \$34,000-plus in stocks and bonds includes \$22,000-plus in utility holdings.

John Knox, Assembly Local Government Committee chairman, cited investments exceeding \$105,000 and \$11,000-plus in real property interests. His \$116,000-plus total takes in six real-estate in-

vestments exceeding \$10,000, a \$10,000-plus law practice, and retirement-plan and annuity-fund investments each valued at \$10,000-plus. The Richmond Democrat also showed a real-estate and personal-property rental co-partnership in Richmond valued at \$10,000-plus. He listed Richmond real property valued in excess of \$10,000 and a Clear Lake lot worth more than \$1,000.

Democrat Randolph Collier, the Senate's dean, reached the \$100,000-plus mark with his one in-

vestment valued at over \$100,000 — common stock in Siskiyou Title Company. The veteran Siskiyou County legislator is Senate Transportation Committee chairman and a member of the Senate Finance Committee.

Jim Keysor is the last state official with reported investments and real-property interests exceeding \$100,000. The San Fernando Valley Democrat's total is based solely on his \$100,000-plus stock holding in Keysor-Century Corp., a company in the plastics and records-manufacturing business.



Substantial numbers of state officials fell into the lowest category, listing assets, excluding residences, totaling less than \$10,000.

Governor's listing

Governor Edmund G. Brown Jr., the only statewide constitutional officer in the lowest range, holds nothing outside of two residences but an "Israel Bond" valued at between \$1,000 and \$10,000. Brown, 18 percent of state senators and 30 percent of assemblymen fell into the lowest bracket — excepting stated residences, their total investments and real property (with a value more than \$1,000) do not exceed \$10,000-plus. Included in the legislative group with no investments or interests in real property, except residences, are Senators Alfred E. Alquist, a San Jose Democrat, and Alex P. Garcia, a Los Angeles Democrat; Assemblymen Richard Alatorre and Howard Berman, both Los Angeles Democrats; Peter R. Chacon, a San Diego Democrat; Walter M. Ingalls, a Riverside Democrat; Barry Keene, a Democrat from Eureka; S. Floyd Mori, a Pleasanton Democrat; Richard Robinson, a Santa Ana Democrat; Art Torres, a Los Angeles Democrat; and Democrat Curtis R. Tucker, of Inglewood and Republican William M. Thomas of Bakersfield.

All Legislators

Less than \$10,000+	\$10,000+ to \$30,000+	\$30,000+ to \$75,000+	\$75,000+
31/119 (26%)	44/119 (37%)	19/119 (16%)	25/119 (21%)

The analysis of legislators' economic statements also revealed:

- More than a quarter (31) of all state legislators reported investments and interests in real property (excepting residences) total less than \$10,000-plus.
- 63 percent (75) reported assets (\$1,000-plus investments and real-property interests) totaling less than \$30,000-plus.
- Only 21 percent (25) listed cumulative \$1,000-plus assets exceeding \$75,000.

Statewide officials

Of the six partisan and one non-partisan statewide elective officials, one was in the lowest category, two were in the \$10,000-plus to \$30,000-plus group, two in the \$30,000-plus to \$75,000-plus group, and two in the \$75,000-plus classification. Brown, Cory and Unruh have already been mentioned.

Wilson Riles, superintendent of public instruction, reported only his residence and an equity in a Sacramento duplex valued at \$10,000-plus. Secretary of State March Fong Eu holds eight different stocks, each valued at

\$1,000-plus, including three utilities. With the two equities valued at \$10,000-plus and a \$1,000-plus leasehold, her total is \$29,000-plus.

Lieutenant Governor Mervyn M. Dymally and Attorney General Evelle J. Younger are both in the \$30,000-plus to \$75,000-plus range. Dymally has a \$1,000-plus common stock holding, three \$10,000-plus equities and one \$1,000-plus equity. Three additional real-property interests totaling \$12,000-plus are included in his \$44,000-plus total. Included in Younger's \$34,000-plus total are four \$1,000-plus oil company stock holdings and three \$10,000-plus equity interests — one in a four-unit Sacramento apartment, another in a unit in a San Francisco condominium and the third in a cabin and lot on Lake Arrowhead.

Who had to report conflicts

The Political Reform Act became effective January 7th, and the Statements of Economic Interests (form 720) were due February 6th. The act required incumbents and candidates for the six partisan statewide offices, the superintendent of public instruction, and members of the Legislature and Board of Equalization to file the statements. County supervisors and chief administrative officers as well as city mayors, council members, managers and chief administrative officers were also required to file.

Reports due

The disclosure-of-interests information manual sent to office-holders states that the investments section of the form requires reporting "each investment worth more than \$1,000 in any business entity if the business entity or any parent, subsidiary or otherwise related business entity owns real property in your 'jurisdiction' or does business, plans to do business or has done business in the past two years in your jurisdiction ('Jurisdiction' means the state if you are a state official or the city or county if you are a local official).

"Real Property outside the city or county, however, is deemed to be within the jurisdiction if it is located within two miles of the boundary or within two miles of any land owned or used by the city or county.

"Any investments held by your spouse or dependent children must be reported as though they were held by you personally. In addition, if you or your spouse own a 10 percent or greater interest in a trust or business entity which holds investments, you must report your pro-rata share of the investments."

Time or demand deposits in financial institutions, shares in a credit union, insurance policies or government bonds do not have to be listed.

Other requirements

The "real property" section of the form requires the

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official to list each interest in real property located in the jurisdiction if the fair-market value of the interest exceeds \$1,000. "Interest in real property" includes a leasehold, beneficial or ownership interest, or an option to acquire an interest. The value the official lists is his proportion of "the amount stated as the fair-market value in the latest available equalized assessment roll." As in the investments section, interests held by spouses and dependents must be reported as if they were held by the official personally.

"In addition," the manual states, "if you or your spouse own a 10 percent or greater interest in a trust or business entity which holds interests in real property, you must report your pro-rata share of the investments." Income reporting was not required on the disclosure statements but must be reported in later statements (income from January 7, 1975.) Income through January 6, 1975 must be reported under the Moscone Governmental Conflicts of Interest Act. Statements filed this year undoubtedly reflect sagging stock values because of the depressed market along with higher-than-normal real estate values.

The main thrust of the reporting requirements is to prevent conflicts of interest as specified in the Political Reform Act:

No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.

California Legislature				
	Less Than \$10,000+	\$10,000+ to \$30,000+	\$30,000+ to \$75,000+	\$75,000+
Senate	7/39-18%	18/39-46%	7/39-18%	7/39-18%
Assembly	24/80-30%	26/80-32.5%	12/80-15%	18/80-22.5%

A comparison of statements filed by members of the two houses reveals:

- About two-thirds of both groups — assemblymen

and senators — reported assets totaling less than \$30,000-plus.

- Nearly five per cent more assemblymen than senators fall into the \$75,000-plus category.

Senate. Eighteen percent of the senators are in both the lowest (less than \$10,000-plus) and highest (\$75,000-plus) categories, while 46 percent are in the \$10,000-plus to \$30,000-plus grouping. Sixty-four percent of the upper house members, then, are in the lower two ranges.

Assembly. Nearly 23 percent of the assemblymen are in the \$75,000-plus category, and 30 percent are in the less-than-\$10,000 group. Almost 33 percent are in the \$10,000-plus to \$30,000-plus classification, and 15 percent in the \$30,000-plus to \$75,000-plus group. Almost 63 percent are in the lower two groups.

State Senate				
	Less Than \$10,000+	\$10,000+ to \$30,000+	\$30,000+ to \$75,000+	\$75,000+
Democrats	5/24-21%	12/24-50%	4/24-17%	3/24-12%
Republicans	2/15-13%	6/15-40%	3/15-20%	4/15-27%

An analysis of the senators' disclosure statements shows:

- Senate Republicans are more affluent as a group than Senate Democrats.
- 71 percent of Senate Democrats fall in the zero to \$30,000-plus range, proportionately more than any other partisan legislative group.

With 47 percent of their ranks in the two higher categories and only 13 percent in the lowest group, Senate Republicans look wealthier than their Democratic counterparts. The Democrats show 29 percent in the higher two groups and 71 percent in the lower classifications. Twenty-seven percent of Senate Republicans are in the highest category — 40 percent in the \$10,000-plus to \$30,000-plus range.

Senate Democrats are listed below in descending order by minimum wealth.

\$75,000 +

Alan Robbins. \$111,000-plus in investments and \$32,000-plus in real-property interests reported. **Total: \$143,000-plus.**

Ralph C. Dills. \$122,000-plus in interests in real property reported. **Total: \$122,000-plus.**

Randolph Collier. \$100,000-plus title company investment reported. **Total: \$100,000-plus.**

\$30,000+ to \$75,000+

George N. Zenovich of Fresno. \$15,000-plus in investments and \$41,000-plus in real property interests reported. Investments include five \$1,000-plus common stock holdings (two are investment funds) and a \$10,000-plus farming

partnership interest. One \$10,000-plus residential equity, three \$10,000-plus parcels or parcel combinations and one \$1,000-plus parcel are listed. **Total: \$56,000-plus.**

James Q. Wedworth of Inglewood. \$21,000-plus total in investments is listed and \$30,000-plus in real property interests. A \$10,000-plus bicycle shop investment, two stock holdings, a \$10,000-plus partnership interest in Mission el Rancho and two \$10,000-plus proprietorships (Horseshoe Bar Ranch and commercial building) are reported. **Total: \$51,000-plus.**

John W. Holmdahl of Alameda County.

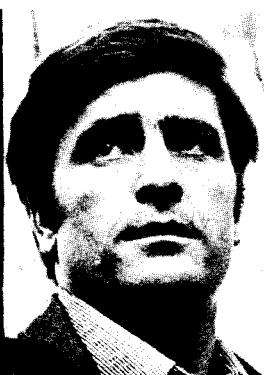
\$11,000-plus in investments and interests in real property exceeding \$33,000 are listed. Investments include sole proprietorship of a law office at \$10,000-plus and a \$1,000-plus partnership interest in a home-investment company; nominal joint tenancy in his mother's home, wife's property, \$1,000-plus interest in a Bevanne Co. note secured by property, interests in two lots and another real estate holding comprise the real-property interests. **Total: \$44,000-plus.**

Walter Stiern of Bakersfield. \$1,000-plus in investments and \$31,000-plus in real-property interests. He holds \$1,000-plus in American National Bank common stock, three \$10,000-plus real estate ownerships and one \$1,000-plus real property interest. **Total: \$32,000-plus.**

\$10,000+ to \$30,000+

Anthony C. Beilenson of Beverly Hills. \$29,000-plus total includes 29 \$1,000-plus stock holdings. No value was listed for interest in a family-owned printing business.

Nicholas C. Petris of Oakland. \$25,000-plus total covers a \$10,000-plus investment in a law firm, \$1,000-plus investments in a savings and loan operation, banking business and bank holding



Alan Robbins

John Garamendi

Robert McLennan

Kenneth Cory

company, two lots at \$1,000-plus each and \$10,000-plus Oakland property.

Albert S. Hotta of Sacramento. \$24,000-plus total encompasses 19 common and four preferred \$1,000-plus stock holdings along with one-fourth interest in a producing oil well valued at \$1,000 plus.

Joseph M. Kennick of Long Beach. \$23,000-plus total includes holdings of four different stocks (utility, banking, construction and delayed sales commissions).

Nathaniel N. Holden of Los Angeles. \$21,000-plus total takes in \$1,000-plus stock holding in American Technical Aid Ind. and two \$10,000-plus equity interests.

Omer L. Reins of Ventura County. \$17,000-plus total includes \$16,000-plus in investment in a law practice, mutual fund, retirement trust, and four limited partnerships and one \$1,000-plus equity interest.

John F. Dunlap of Napa. \$12,000-plus total, with one law practice partnership interest valued at \$1,000-plus, a \$10,000-plus interest in a promissory note secured by a lot and a \$1,000-plus lot (fee ownership encumbered).

Arlen Gregorio of San Mateo. \$11,000-plus total includes a \$1,000-plus partnership interest in apartments and one \$10,000-plus San Mateo equity interest.

James R. Mills of San Diego. \$11,000-plus total counts in a \$10,000-plus investment in Vanguard Investment (real estate) and \$1,000-plus in the California Real Estate Investment Trust.

George R. Moscone of San Francisco. \$11,000-plus total covers \$10,000-plus from law practice dissolution and \$1,000-plus interest in a lot.

Robert Presley of Riverside. \$11,000-plus total takes in one \$11,000-plus promissory note and a \$1,000-plus credit union deposit.

David A. Fobetti of Los Angeles. \$10,000-plus total covers one \$10,000-plus equity interest.

Less than \$10,000+

Five Democratic Senators reported less than \$10,000 plus in investments and real-property interests: Jerome A. Smith (\$3,000-plus), Ruben S. Ayala and Alfred H.

Song (both \$1,000-plus), and Alfred E. Alquist and Alex P. Garcia (both their residences only).

Republican wealth

Senate Republicans are listed below in descending order by minimum wealth.

\$75,000+

Clare Berryhill. \$237,000-plus in investments and \$102,000-plus in real-property interests. **Total: \$339,000-plus.**

Dennis Carpenter. \$101,000-plus in investments and \$41,000-plus in interests in real property. **Total: \$142,000-plus.**

Jack Schrade of San Diego. \$81,000-plus total takes in \$20,000-plus in investments including his wife's debentures in Southern California First National Bank and a personal \$10,000-plus common-stock holding in a hotel. Four \$10,000-plus notes secured by deeds of trust, two \$10,000-plus real-estate holdings and one \$1,000-plus interest in a lot comprise the \$61,000-plus real-property total.

Milton Marks of San Francisco. \$80,000-plus total includes eight different \$1,000-plus common-stock holdings (one his wife's), a \$10,000-plus Crocker National Corporation stock holding, and \$10,000-plus share holdings in American Mutual Fund, Putnam Growth and National Investors (the last two listed as his children's property). \$1,000-plus investments in the Putnam Growth Fund, a \$10,000-plus inherited interest in American Express Investment Management Company, children's \$1,000-plus interest in Eaton and Howard, and a \$10,000-plus personal estate interest are cited. A \$10,000-plus real estate holding is listed.

\$30,000+ to \$75,000+

Peter H. Behr of Marin County. \$74,000-plus total includes 10 different common-stock holdings — some involving chemicals and oil — of which six are valued at \$10,000-plus and four at \$1,000-plus. A \$10,000-plus Inverness property interest constitutes Behr's reported real property.

H.L. Richardson of Arcadia. \$43,000-plus total counts in \$32,000-plus in investments and \$11,000-plus in interests in real property. Two \$10,000-plus real-estate partnerships, a \$10,000-plus common-stock holding and a

\$1,000-plus partnership and proprietorship are cited under investments, while two portions of Loomis real estate — one valued at \$10,000-plus and another at \$1,000-plus — are reported as real-property interests.

Donald L. Grunsky of Watsonville. \$31,000-plus total covers nine different \$1,000-plus common-stock holdings, a \$10,000-plus I.B.M. common-stock holding, a \$1,000-plus utility preferred stock holding, a \$1,000-plus limited partnership interest in Dillingham-Systech Realty Fund I and a partnership interest in a law practice exceeding \$10,000.

\$10,000+ to \$30,000+

Newton R. Russell of Glendale. \$29,000-plus total includes a \$10,000-plus Warner Lambert common stock holding, 17 \$1,000-plus common stock holdings, including four oil companies and two utilities, a \$1,000-plus Interpace Corp. preferred stock holding and a \$1,000-plus interest in a lot in El Dorado County.

John A. Nejedly of Walnut Creek. \$24,000-plus total counts in \$1,000-plus investments in Keystone Custodian mutual fund and PG&E preferred stock, along with two Johnsville lots totaling \$11,000-plus, a Hawley Lake equity interest valued at \$10,000-plus and a \$1,000-plus San Ramon second deed of trust.

Howard Way of Tulare County. \$22,000-plus total covers \$10,000-plus in Pacific Telephone bonds, another \$1,000-plus common stock holding and a \$10,000-plus interest in Tulare County parcels.

James E. Whetmore of Orange County. \$21,000-plus total counts in a \$10,000-plus law partnership interest, a \$1,000-plus Sacramento equity interest and a \$10,000-plus Buena Park ownership.

Lou Cusanovich of Los Angeles. \$12,000-plus total includes \$1,000-plus interests in two lots and a \$10,000-plus Westlake Village real property interest.

George Deukmejian of Long Beach. \$10,000-plus total is based entirely on his partnership interest in a law practice.

Less than \$10,000+

Senators Robert S. Stevens and John Stull were the only two Republicans reporting assets totaling less than \$10,000-plus. Stevens, of Los Angeles, has a \$3,000-plus total; Stull, of San Diego, reported \$2,000-plus.

State Assembly

	Less Than \$10,000+	\$10,000+ \$30,000+	\$30,000+ \$75,000+	\$75,000+
Democrats	17/55-31%	18/55-33%	9/55-16%	11/55-20%
Republicans	7/25-28%	8/25-32%	3/25-12%	7/25-28%

Assembly Republicans have only 8 percent more of their membership in the highest-assets category than the Democrats. The GOP lawmakers have only 3 percent fewer members in the lowest group than the Democrats and only 1 percent fewer in the \$10,000-plus to \$30,000-plus bracket. Some observations:

- Assembly Republicans nearly proportionally match their Democratic counterparts in the lower two categories (60-64 percent).
- 28 percent of Assembly Republicans and 20 percent

of the Democrats are in the highest-wealth group.

- 10 of 55 Democrats and 3 of 25 Republicans have minimum-wealth totals exceeding \$100,000.
- 32 percent of the Republicans and 33 percent of the Democrats fall in the \$10,000-plus to \$30,000-plus range.

Assembly Democrats

Assembly Democrats are listed below by minimum wealth in descending order.



\$75,000+

Bill McVittie. \$514,000-plus total, with a Chino law practice valued in excess of \$100,000, another \$10,000-plus in retirement, \$272,000-plus in assorted parcels, and \$129,000-plus in parcels constituting security for promissory notes.

Michael Wornum. \$482,000-plus total includes a \$10,000-plus partnership in Laurel Motel Associates, two notes (\$10,000-plus and \$1,000-plus), and a \$10,000-plus investment in Bio Kinetics for a \$31,000-plus investment total. The freshman's \$451,000-plus interests in real property total counts in four \$100,000-plus equities (one of them his children's) and five \$10,000-plus equities (one also his children's). Apartment-house equities account for \$340,000-plus of the real-property interests total.

Alan Sieroty. \$460,000-plus total covers investments of \$409,000-plus and \$51,000-plus in interests in real property. \$100,000-plus investments in Eastern Columbia, Inc., and Sieroty, Inc., are cited along with 83 assorted security holdings, 69 at \$1,000-plus and 14 at \$10,000-plus, for a \$209,000-plus security holding total.

John R. Garamendi. \$316,000-plus total, with investments of \$91,000 (his wife's), a \$1,000-plus investment in common stock and a \$100,000-plus interest in Spring Hill Properties, for a \$192,000 investments total. The \$24,000-plus interests in the real-property total includes two \$10,000-plus parcel equities and four \$1,000-plus security interests in parcels. Under the statement section requiring officials to report investments and real-property interests in business entities in which they have at least a 50 percent interest, Garamendi indicates such an interest in Spring Hill worth at least \$100,000-plus more than the \$100,000-plus indicated in the investments section.

Terry Goggin. \$121,000-plus total counts in \$100,000-plus in A.T.&T. bonds held in trust, two Newport Beach \$10,000-plus equities and one \$1,000-plus equity interest.

John E. Thurman. \$121,000-plus total primarily composed of a solely owned \$100,000-plus dairy, in addition to 30 acres in Modesto valued at \$10,000-plus and \$10,000-plus in cooperative creamery revenue.

Leroy F. Greene. \$120,000-plus total includes a \$100,000-plus partnership interest in Mercy Medical Center, a \$10,000-plus consulting engineer proprietorship and one \$10,000-plus equity interest.

Ken MacDonald. \$120,000-plus total counts in \$76,000-plus listed as "wife's separate property," \$34,000-plus in personally owned stocks and bonds, including \$22,000-plus in utility holdings, and a \$10,000-plus Ojai lot equity.

John Knox. \$116,000-plus total covers six \$100,000-plus real estate investments and \$10,000-plus law practice, retirement fund, an-

nuity fund and copartnership investments. The Richmond co-partnership is a real-estate and personal-property rental business. Knox also listed a \$10,000-plus Richmond real-property interest along with a \$1,000-plus interest in a Clear Lake lot.

Jim Keysor. \$100,000-plus total includes only his stock holding in Keysor-Century Corp., a business engaged in plastics and record manufacturing.

Louis Papan of Daly City. \$90,000-plus total counts in \$20,000-plus in investments including five \$1,000-plus stock holdings, four \$1,000-plus bond holdings and one \$10,000-plus stock holding in the International Spaghetti Factory. The lawmaker's \$70,000-plus in interests in real property includes seven \$10,000-plus equity interests — three in Daly City, two in Willows and two in Placerville.

\$30,000+ to \$75,000+

Bob Wilson of San Diego. \$72,000-plus total covers two \$10,000-plus investments as owner of Sacramento antique businesses, \$1,000-plus in legislative retirement, two \$10,000-plus El Cajon equities and one \$10,000-plus San Diego County equity.

Wadie P. Deddeh of San Diego. \$66,000-plus total includes three \$1,000-plus stock holdings, \$1,000-plus mutual fund, Merrill Lynch short-term note and retirement investments, four \$10,000-plus rental interests and two \$10,000-plus interests in parcels.

Lawrence W. Chimbole of Lancaster. \$42,000-plus total counts in \$11,000-plus in investments and \$31,000-plus interests in real property, including: \$10,000-plus common stock holding in a real estate corporation; \$1,000-plus in country club stock; ownership of two \$10,000-plus lots, \$10,000-plus interest in another lot; one \$1,000-plus equity.

John F. Foran of San Francisco. \$41,000-plus total covers Bank of America acceptances valued at \$10,000-plus, a \$10,000-plus note on property, \$1,000-plus interest in his law firm, and two \$10,000-plus equity interests (Sacramento and San Francisco).

Tom Suitt of Palm Desert. \$41,000-plus total takes in three \$10,000-plus common-stock holdings, one \$10,000-plus partnership interest in child care and a \$1,000-plus interest in Career Training Systems, Inc.

Pauline L. Davis of Portola. \$40,000-plus total counts in three \$10,000-plus equities and full ownership of a parcel valued in excess of \$10,000.

Jack R. Fenton of Montebello. \$39,000-plus total includes a law-practice interest valued at \$10,000-plus, nine \$1,000-plus common-stock holdings, one Huntington Beach and one Los Angeles equity, each worth \$10,000-plus.

Herschel Rosenthal of Los Angeles. \$31,000-plus

total, with a 50 per cent, \$10,000-plus interest in a typography shop, \$10,000-plus insurance and \$1,000-plus bank stock holdings, along with a partial \$10,000-plus interest in Los Angeles real property.

John J. Miller of Berkeley. \$30,000-plus total covers a law practice valued at \$10,000-plus, a \$10,000-plus option-to-buy in Sacramento and a \$10,000-plus equity interest in Berkeley.

\$10,000+ to \$30,000+

Fred W. Chel of Long Beach. \$28,000-plus total includes \$1,000-plus interests in a law practice, Unity Capital Co. common stock and a mutual fund, in addition to three \$1,000-plus lot ownerships in fees, one \$1,000-plus mineral rights interest, two \$10,000-plus parcels and a \$1,000-plus leasehold.

Eugene T. Gualco of Sacramento. \$27,000-plus total covers three stock holdings valued at more than \$1,000, three \$1,000-plus retirement plan interests, one \$1,000-plus interest in a law practice and two \$10,000-plus Sacramento equities.

Daniel E. Boatwright of Concord. \$24,000-plus total counts in a \$10,000-plus law office, two law partnerships, each exceeding \$1,000, a \$1,000-plus restaurant interest, a \$10,000-plus interest in a lot in Placer County and a \$1,000-plus interest in a lot in El Dorado County.

Alfred C. Siegler of Vallejo. \$24,000-plus total, with three \$1,000-plus investments in mutual funds, two \$10,000-plus limited partnerships in real estate and a second deed of trust with a value exceeding \$1,000.

Victor Calvo of Palo Alto. \$21,000-plus total includes a \$10,000-plus investment in DeAnza Lumber and Building Supply, more than \$1,000 in General Telephone shares and a \$10,000-plus interest in a McCloud vacation home.

Leo T. McCarthy of San Francisco. \$21,000-plus total includes a daughter's stock in Long's Drugs valued at more than \$1,000 and \$10,000-plus interests in two San Francisco properties.

Bill Greene of Los Angeles. \$21,000-plus total covers \$10,000-plus investments in Joseph Roberts Originals, Inc., and Oppenheimer Funds, Inc. It also includes a \$1,000-plus interest in Sacramento real property listed in the section concerning investments and real-property interests held by business entities. (Greene, who has since moved to the Senate, did not enter a business name or indicate any entity's relationship to the Sacramento interest.)

Carmen Perino of Stockton. \$20,000-plus total includes an investment exceeding \$10,000 in a printing business and an \$10,000-plus interest in a building.

Charles Warren of Los Angeles. \$20,000-plus total covers a \$10,000-plus Los Angeles property and a law partnership exceeding \$10,000.

Leona H. Egeland of San Jose. \$19,000-plus total takes in three stock holdings, each exceeding \$1,000, as well as four \$1,000-plus equity interests, one \$10,000-plus equity interest in a parcel and two parcel equity interests exceeding \$1,000.

Edwin L. Z'berg of Sacramento. \$14,000-plus total includes \$1,000-plus investments in common stock and a law practice, \$10,000-plus in legislative retirement and two Sacramento equity in-

terests exceeding \$1,000 (both listed as wife's property).

John B. Vasconcellos of San Jose. \$12,000-plus total counts in \$1,000-plus mutual fund and common-stock investments and 25 percent interest in undeveloped San Jose property valued at \$10,000-plus.

Willie L. Brown Jr. of San Francisco. \$11,000-plus

total, with a law partnership worth more than \$10,000 and \$1,000-plus in River City Bank common stock.

Leon Ralph of Los Angeles. \$11,000-plus total covers an investment exceeding \$1,000 in Hi-Pro Foods and a \$10,000-plus Los Angeles equity interest.

Vincent Thomas of San Pedro. \$11,000-plus total,

all listed as spouse's stock investments.

Tom Bane of Van Nuys. \$10,000-plus total takes in one \$10,000-plus partnership interest in an apartment house.

Mike Cullen of Long Beach. \$10,000-plus total is his partnership interest in MLC Properties.

Gary K. Hart of Santa Barbara. \$10,000-plus total covers 10 different \$1,000-plus stock holdings.



Howard Berman

Richard Alatorre

Alex Garcia

Art Torres

Walter Ingalls

Alfred Alquist

Less than \$10,000+

Seventeen Assembly Democrats showed investments and interests in real property totaling less than \$10,000 plus. Five legislators listed no investments or property interests whatsoever, including residences; four listed only residences. The Assembly Democrats in the lowest category are listed according to minimum wealth in descending order: Alister McAlister of San Jose, \$3,000-plus; Paul B. Carpenter of Orange County, \$2,000-plus; Lawrence Kapiloff of San Diego, \$2,000-plus; Bill Lockyer of San Leandro, \$2,000-plus; Julian C. Dixon of Los Angeles, \$1,000-plus; Kenneth A. Meade of Oakland, \$1,000-plus; Joseph B. Montoya of Los Angeles, \$1,000-plus; Frank Vicencia of Los Angeles, \$1,000-plus; Peter R. Chacon of San Diego, residence only; Barry Keene of Eureka, residence only;

Richard Robinson of Orange County, residence only; Curtis B. Tucker of Inglewood, residence only. Nothing was reported by Richard Alatorre of Los Angeles, Howard Berman of Los Angeles, Walter M. Ingalls of Riverside, Art Torres of Los Angeles, and S. Floyd Mori of Pleasanton. (Mori was not required to file a Statement of Economic Interests because he filed his candidate's papers before the effective date of Proposition Nine. The information on Mori's economic interests was obtained from the statement — form 716 — that he filed under the Moscone Governmental Conflict of Interests Act.)

Assembly Republicans

Assembly Republicans are listed below in descending order according to wealth.

\$75,000+

Robert M. McLennan. \$264,000-plus total includes 50 percent interests in two apartments, each valued at \$100,000-plus, more than \$10,000 in retirement, a \$10,000-plus apartment ownership, and interests exceeding \$10,000 in a Pebble Beach house, two lots and a medical building.

Robert G. Braverly. \$162,000-plus total counts in a \$10,000-plus law partnership investment, a \$10,000-plus partnership interest in land, two \$1,000-plus stock holdings, a Manhattan Beach property ownership with spouse exceeding \$100,000, and \$10,000-plus interests in property at Manhattan Beach, Simi Valley, Los Angeles and Sacramento.

John V. Briggs. \$140,000-plus total covers an interest of \$100,000-plus in an insurance agency, a \$10,000-plus ranching investment, \$10,000-plus Placerville and Buena Park property interests and five equity interests, each exceeding \$1,000.

Eugene A. Chapple of Roseville. \$92,000-plus total includes investments in five \$1,000-plus land investment companies and two \$10,000-plus land investments companies, more than \$10,000 in bank shares, savings and ranch in-

vestments, and \$10,000-plus interests in Pilot Rock Land, a dwelling and a Roseville condominium.

Paul T. Bannai of Gardena. \$90,000-plus total covers an investment exceeding \$10,000 in Bannai Company and 10 \$1,000-plus investments, including some in banking, insurance, real estate and land development, and six properties individually worth more than \$10,000 and 10 \$1,000-plus interests in real property.

Robert P. Nimmo of San Luis Obispo. \$82,000-plus total includes \$10,000-plus Mid-State Bank and Nimmo Realty investments, a \$1,000-plus investment in Arizona-Colorado Cattle Company, four Atascadero equities exceeding \$10,000, two \$10,000-plus lots in the same city, and one \$1,000-plus equity interest.

Frank Murphy Jr. of Santa Cruz. \$77,000-plus total takes in \$10,000-plus investments in the County Bank of Santa Cruz and a law practice, partnership interests exceeding \$10,000 in H.R. Investors and Sandcastle Development Company, seven \$1,000-plus stock holdings, a \$10,000-plus equity interest in one Sacramento property, and two real estate partnerships in Santa Cruz worth more than \$10,000 each.

\$30,000+ to \$75,000+

Frank Lanterman of La Canada. \$65,000-plus total counts in real property interests only, including six parcels, each worth more than \$10,000, one \$1,000-plus real property trusteeship and four \$1,000-plus parcel interests.

John E. Collier of Arcadia. \$41,000-plus total, with a \$10,000-plus savings-and-loan investment, U.S. Treasury note and legislative retirement "vested interest," seven \$1,000-plus common stock holdings and two mutual fund investments valued at more than \$1,000 each, and \$1,000-plus interests in Highland Park Savings and Loan and El Macero Country Club.

Robert E. Badham of Orange County. \$34,000-plus total covers a partnership interest in real estate valued at more than \$10,000, \$1,000-plus in stock in both banking and Hollywood Turf Club, an interest in the Legislative Retirement Fund exceeding \$1,000, and undivided property interests in a family trust and limited partnership totaling \$21,000-plus.

\$10,000+ to \$30,000+

Robert H. Burke of Orange County. \$22,000-plus total counts in an investment exceeding \$10,000 in Huntington Beach Blueprint and Drafting, one \$10,000-plus Sacramento equity and another

equity and a leasehold, each valued at \$1,000-plus.

Gordon W. Duffy of Hanford. \$22,000-plus total takes in only investments, with a partnership interest in an office building and bank stock holding each listed at \$10,000-plus, as well as \$1,000-plus stock and FICB bond holdings.

Jerry Lewis of Redlands. \$21,000-plus total includes a \$1,000-plus share holding in life insurance and two \$10,000-plus real property titles

held by virtue of unrecorded partnerships.

Robert C. Cline of Northridge. \$20,000-plus total covers a \$10,000-plus partnership interest in Cline, Holzberg and Co., a financial and tax consulting business, along with a duck club stock holding in excess of \$10,000.

Kenneth L. Maddy of Fresno. \$16,000-plus total, with a law practice investment exceeding \$10,000 and six \$1,000-plus common stock holdings (Maddy estimated the total value of his stock holdings at \$7,045).

Ernest N. Mobley of Fresno. \$12,000-plus total counts in \$1,000-plus investments in both Long's Drugs and Manhattan Mutual Fund, in addition to ownership of two Wilsonia lots with a combined value exceeding \$10,000.

Dixon Arnett of Redwood City. \$10,000-plus total comes from one interest valued at more than \$10,000 in Placerville property.

Bruce Nestande of Orange County. \$10,000-plus total includes one \$10,000-plus equity interest in Orange, Calif. property.

Less than \$10,000+

The seven Assembly Republicans with investment and interest in real property totals less than \$10,000-plus, are William A. Craven of San Diego, \$9,000-plus; Mike D. Antonovich of Glendale, \$5,000-plus; Richard D. Hayden of Sunnyvale, \$2,000-plus; Paul Priolo of Los Angeles, \$2,000-plus; William P. Campbell of Whittier, \$1,000-plus; William H. Lancaster of Covina, \$1,000-plus; William M. Thomas of Bakersfield, residence only.

Democratic Legislators

	Less Than \$10,000+	\$10,000+ \$30,000+	\$30,000+ \$75,000+	\$75,000+
Senate	5/24-21%	12/24-50%	4/24-17%	3/24-12%
Assembly	17/55-31%	18/55-33%	9/55-16%	11/55-20%

A comparison of Senate and Assembly Democrats showed:

- 10 percent more Democratic assemblymen than senators are in the lowest category.
- Assembly Democrats have 6 percent fewer members in the lower two groups combined than senators and 8 percent more from their ranks in the highest group than their Senate contemporaries.

The two groups have nearly identical proportions in the \$30,000-plus to \$70,000-plus bracket, though Senate Democrats have 17 percent more members in the second lowest group (\$10,000-plus to \$30,000-plus). Seventy-one percent of Senate Democrats fall in the lower two groups and only 12 percent are in the \$75,000-plus category. Sixty-four percent of Assembly Democrats are in the lower two groups, with about one-third of their ranks in the "less than \$10,000-plus" group. Eleven Assembly lawmakers — 20 percent of the house's Democratic membership — are in the highest category.

Republican Legislators

	Less Than \$10,000+	\$10,000+ \$30,000+	\$30,000+ \$75,000+	\$75,000+
Senate	2/15-13%	6/15-40%	3/15-20%	4/15-27%
Assembly	7/25-28%	8/25-32%	3/25-12%	7/25-28%

Assembly Republicans have 15 percent more members in the lowest category than their Senate colleagues. Both groups are nearly identical in the highest range, with Assembly Republicans having 8 percent fewer members than the senators in the \$10,000-plus-\$30,000-plus and \$30,000-plus to \$75,000-plus slots.

- Assembly Republicans have proportionately more members in less-affluent categories than their Senate counterparts.

- Senate Republicans have only two of 15 members in the lowest group — less than half the percentage of GOP Assemblymen in that category.

- With 47 percent of their membership in the top two ranges and only two members in the lowest classification, Senate Republicans seem the most affluent of the four partisan legislative groups.

While Senate Republicans appear wealthiest, Senate Democrats seem the least affluent of the four groups.

Board of Equalization

In addition to legislators and statewide constitutional officers, Board of Equalization members filed statements. The members are listed below by totals in descending order.

William M. Bennett, 3rd district. \$30,000-plus total covers only interests in real property, including two separate one-acre Kentfield properties at \$10,000-plus each and a "fee simple" interest in Sacramento property exceeding \$10,000.

George R. Reilly, 1st district. \$26,000-plus total includes real property interests including San Francisco and Redwood City ownerships, each valued at \$10,000-plus, and an acreage equity interest at \$1,000-plus, along with five diversified, \$1,000-plus common-stock holdings.

Richard Nevins, 4th district. \$21,000-plus total includes a \$1,000-plus AT&T holding and \$10,000-plus in Church and Dwight, Inc., common stock, along with one twenty-fourth interest in the E.D. Church Trust — Chemical Bank, valued at \$10,000-plus.

John W. Lynch, 2nd district. \$2,000-plus total counts in \$1,000-plus common-stock holdings in the Investors Stock Fund and PG&E.

Proposition Nine's disclosure provisions are an improvement over the requirements of the Moscone-sponsored Governmental Conflict of Interests Act. The Moscone disclosure measure requires state officials to indicate only if an investment or interest in real property exceeds \$10,000, does not exceed \$10,000 or is no longer held. Proposition Nine, on the other hand, went a step farther toward candid disclosure by requiring state officials to report investments and interests in real property exceeding \$100,000.

But until solid details are required of public officials — including specific values rather than such vague categories as "does not exceed \$10,000," "exceeds \$10,000 but not \$100,000" and "exceeds \$100,000" — it will still be difficult for the public to determine the exact extent of officials' financial interests. To be more specific, however, the law would tread close to the line the courts drew between public disclosure requirements and privacy rights.

The decline of Randy Collier --or is he just resting?

By CARLA LAZZARESCHI

Randolph Collier watched as his 2-year-old daughter, Natasha, jammed fistfuls of buttered french toast into her mouth. A satisfied smile spread slowly across his face. "You know," the 73-year-old state Senator said, "I used to worry how she'd get along when I'm gone. But one day I watched her play outside. A neighborhood child came by on a bike and she liked it so much she took the bike away and started playing with it herself. A little while later, another child came by with a broom. She got hold of that, too, and began playing with it. From that I concluded Natasha had what it takes to get along in the world quite nicely and I stopped worrying." If it is an ability to make her desires known and relentlessly pursue them that will allow Natasha Collier to "get along quite nicely", then her life should not be unlike her father's. For getting what Randolph Collier wants has always been uppermost on Randolph Collier's mind.

While this is hardly an astounding or even unique characteristic, it is the trait that has allowed a paunchy, jowel-jawed politician, the baron of the 1st Senatorial District for 36 years, to survive to the days when legislatures are dominated by lean, trim people calling themselves public servants. It is the trait that has allowed the founder of the Derby Club, a lobbyist-financed luncheon gathering of selected legislators and advocates, to survive to the days of Proposition 9 and the monthly lawmaker-lobbyist allowance of "two hamburgers and a Coke". And it is the trait that has allowed a man who freely admits to always finding women attractive to survive to the days when he must force himself to find anything attractive about a female agency secretary who, he mutters, even wears pants to work.

In short, it is the trait that has allowed a relic from California's boom-or-bust past, the days when the 1st Senatorial District was a giant forest waiting to be tamed, to survive to the days of one-man, one-vote and concern for the environment. But it is also the trait that rankled enough of Collier's colleagues last June that they rejected his conference committee's budget and set in motion his fall from power six months later.

A question

What happens to the last of a virtually extinct breed in the days of smooth, media-conscious candidates, post-Watergate morality, women in government and a growing belief that progress is not just more paved roads? It is a question that no small number of legislators and Capitol observers are wondering about these days. And it is a question that has been asked more since Collier's ouster in December as chairman of the Senate Finance Committee — and his reassignment to the Transportation Committee, which has been considerably weakened since

the days Collier used it to gain his reputation as the "father of the freeways".

One person not pondering that question, though, is Randolph Collier. And that fact alone may be a good indicator of what will happen to Randolph Collier.

While some colleagues and observers are already writing his political obituary, Collier is busy keeping his usual seven-day-a-week schedule, actively participating as a member of the Finance Committee and enthusiastically chairing Transportation. He plans to run for reelection in 1976 in a newly apportioned district covering 15 counties, 526,000 residents and almost as many square miles. And, on the home front, he wants to add a new member to his second family — this time, he says, a baby boy. While the odds are slim that Collier will regain his former power, it is premature to predict his political death. To do so is to ignore how accommodating Collier can be when his fate is at stake. Indeed, few other politicians have demonstrated as keen an appreciation of adaptability as the basis of survival.

In the beginning . . .

Collier came to Sacramento in 1939 as a 37-year-old bigshot from a small town. The only son of a family of successful politicians — his grandfather had been governor and chief justice of Alabama, and his father was that state's attorney general — Collier never seemed to doubt that he would follow their paths. He abandoned his college career at the University of California at Berkeley in 1925 in the middle of his senior year to go into the title insurance business in Yreka. A year later, although still keeping his business, he became the recorder of the Yreka police court. And a short time after that, while still in his twenties, he became the judge of the police court.

Collier says his entry into state politics a decade later was inadvertent, the accidental result of trying to find an opponent for two Senate candidates whom he considered unacceptable. His election in 1938 marked the first time in 40 years that the 1st Senatorial District had picked a Republican.

From the beginning, Senator Collier had a committee to rule. His first assignment was to the Public Health Committee, which he headed for two years, a period he remembers not so much for what he did but for the fact that it preceded the 28 years he chaired the Transportation Committee. On the Transportation Committee, Collier acquired his legendary fame as father of the freeways by co-authoring the 1947 legislation that ran asphalt and concrete ribbons up and down the state.

This history reminds one senator, who is counted among Collier's friends, of a Horatio Alger "young-boy-from-the-backwoods-makes-good-in-the-big-city" story. "When you think about Randy Collier," this colleague said, "you have to picture him as a boy, which is about what he was when he came to Sacramento. He had been

The author wrote "The Koupals' Petition Factory" in the March 1975 issue.

a court judge in a small town in a relatively unpopulated area. The people who elected him felt they hadn't been treated fairly by his predecessors. So he went to work to give them what they needed: roads to develop their natural resources. Then he became chairman of the Transportation Committee, where he had life-or-death authority over all modes of transportation. This was all accomplished, you must remember, by a man who came from Yreka."

Another long-time Capitol observer prefers to see Collier as a skilled chess player, a man who's always thinking three moves ahead and who has an array of last-minute ditches in case his plans are foiled.

Party switch

As for Collier, he sees his work in those years as simply doing what the people in his district elected him, and kept electing him, to do. His "people on the North Coast", as he refers to his constituents, needed roads and he was giving them roads. Luckily, the rest of the state happened to need roads, too, because in the process everyone got them. Collier was in his heyday, wielding virtually absolute legislative power over the course of those roads — and with a Republican governor to back him up.

In 1958, more than 25 Democrats were elected to the Senate in a sweep led by the election of Pat Brown as governor. Collier's response was simple enough: He became a Democrat. "I just realized I could do a better job in the Democratic Party," he says today. "I don't know if I analyzed it from a strict perspective of Pat Brown's election and my position in the Senate. I just did it by instinct. I do a lot of political things by instinct, and when you're around politics a long time, you do things that way." The instinctive move paid off, and Collier continued his solid hold on the Transportation Committee.

All went comparatively well during the next eight years. More freeways unfurled across California, and Collier was their undisputed ruler. He has fond memories of those days, the time when, he says, "the Senate was like family or a fraternity where everyone helped everyone else. In those days we did a better job because we were citizen-legislators, not politicians. We were working for what was good for all the people, not for what was good for politics at that moment." Collier says everything started to change — for the worse — in 1966.

New blood

Everything did change then, and 1966 marked the be-

ginning of a new era, not only for the Senate, but for Collier, too. Fifteen assemblymen were elected to the 40-member Senate that year in one of the most massive infusions of new blood that body had ever known. Many of the men they replaced understood Collier as the newcomers never would. From then on, there was the inevitable clash between the established and the new, between what became labeled as the "old guard" and the "young Turks", a clash that invariably included Collier as one of the old and established. To some of Collier's colleagues who watched what happened, the identification of "old" and "established" with "bad" is still a sore point. "Collier came here from the old school that taught you to work hard for your constituents," one senator said. "So he worked hard for the people he truly felt had not received their fair and just compensation. You may say that he dug and dirt-scratched for the district he represented. But it is not fair to say he's the greedy, ugly politician because of that. He gets dubbed an old-time politician, but that doesn't mean it's wrong to do what you can for your district."

But it wasn't Collier's single-minded protection of his district that ired his colleagues. It was his manner, a manner that one new young senator said used to leave his stomach in knots after committee hearings.

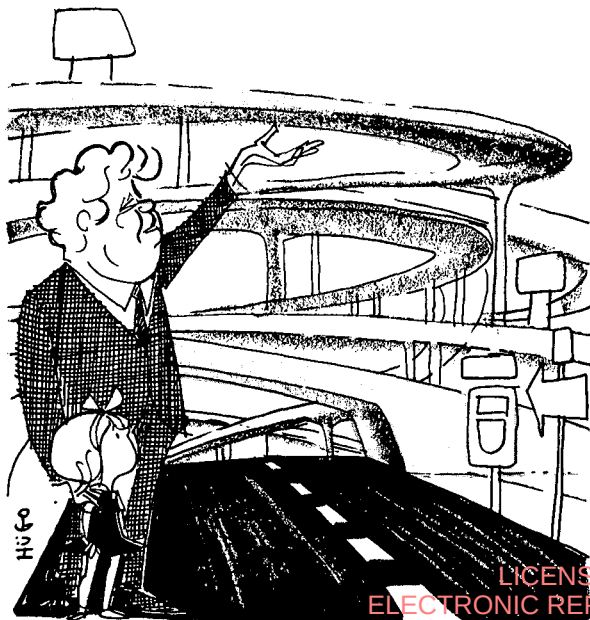
The new senators had plenty of time to get to know Collier's manner. From 1967 to 1969 he kept his tight rein on the Transportation Committee. In 1969 the death of George Miller propelled Collier into the chairmanship of the Finance Committee, a post he held, with the exception of six months, until last December. It was in the powerful Finance Committee that Collier made his unmaking. "It was his autocratic and domineering manner," one senator remembered. "He and I had disputes over that. He would refuse to recognize motions. He would rule a bill passed or failed without roll-call votes, even when they were requested and even when the vote to all appearances was to the contrary. I would try to fight it, but he always won because he had the gavel."

Changing the rules

Even the change in committee rules requiring a roll call vote did not eliminate his hold over the Finance Committee. He had other ways to get what he wanted. One of his favorite ploys was to use the Senate's quorum rules when he needed them. If a committee hearing was scheduled for 9 o'clock, then he'd get there at 9, probably the first one, and wait for the others to trickle in," one senator remembered. "When the seventh member arrived he'd call the session to order and start calling the bills. He knew good and well that it takes seven votes to pass a bill and, with only seven members present, all it takes is one negative vote to kill the bill. As the chairman he had the right to call the bills up for consideration in any order, and if he didn't like a bill, he'd call it up first and cast his vote against it."

Even though he was playing by the rules, the Senator said he made some people angry. Another source of anger to his colleagues was Collier's impatience and abrupt, and sometimes insulting, outbursts at committee witnesses. "Some of us used to sit with our stomachs in knots in those years," another senator said. "No one knew when he would erupt at a witness and bark at him to speak up. It was embarrassing and demeaning to us all."

If his behavior in the committee room upset some members of his committee, Collier's method of running the Finance Committee did not endear him to many of the remaining senators. One way he demanded respect for his position was to require authors to request that their bills





be set for a hearing before the Finance Committee, a procedure that made his colleagues think Collier's personal touch was needed before the Finance Committee could pass on their legislation and a procedure Collier used to delay bills he disliked and speed up measures he favored.

Over-stepping the bounds

While Collier's colleagues clearly did not like the way he ran his committee — and are willing to admit it — they do not view him as the personification of evil itself. "I might think Randy's rude and autocratic and enough other people might think so too," a senator explained, "but I really don't think Randy ever thought he was rude or autocratic. He thinks he's expedient, and if you remember that in all his years in the Senate he's gone through so much of this routine so many times, you can perhaps understand why what we view as rude, he views as expedient. It's really that we're more conscious of people today than we were 20 years ago and Randy hasn't changed as much in this area of his work as he has in others."

But whether he was viewed as the devil or not, after nearly five years of Collier as Finance Committee chairman the Senate was ready to call it quits. When some of his committee colleagues publicly denounced him on the floor last June for the way he handled the joint Senate-Assembly budget conference, the Senate was ready to take some drastic action. "It's not that we didn't like him because we thought he was evil," said one senator who helped bring about Collier's dethroning. "It was that his style didn't fit in the Senate any more. It wasn't a conspiracy by a few of us. There were a great many legislators who really didn't want him as Finance Committee chairman. He had simply stepped on too many toes and had antagonized too many people."

The last straw, and it took six months to snap, was Collier's action during last June's budget conference — the meeting between select members of the Assembly and Senate fiscal committees to iron differences between the budget bills passed by each house. It was during this session that Collier, without prior approval from his Senate colleagues, single-handedly inserted budget appropriations to purchase several million dollars worth of property throughout the state for parks and recreation lands. The bulk of the property, however, was located in Collier's district, giving rise to speculation that Collier was personally taking care of some of his "people on the North Coast".

When his actions came to the attention of his colleagues, during what one senator described as a district attorney-like grilling of Collier by Senator John Holmdahl, the Senate refused, by a two-to-one margin, to ratify the conference budget. A new conference committee, headed by Senator Anthony Beilenson, was named and a few days later both houses ratified the new committee's budget. Six months later Beilenson replaced Collier as chairman of the Finance Committee.

No one denies that the conference committee dispute

was more a result of slowly simmering Senate outrage over Collier's five-year leadership of the Finance Committee than outrage over his budget additions. And no one denies that the Senate used his budget additions as a convenient issue to hang Collier for all his prior toe-stepping. Collier himself has two explanations of what happened to him. He insists that he asked to be removed from his finance chairmanship to devote more time to his 1976 campaign and to placating his stomach ulcers. He also admits that he asked to trade his Finance chairmanship for the chair of the Transportation Committee because he knew he was "in trouble".

For whatever motive, Collier did ask for the trade *before* being bumped in a publically embarrassing way. That move, which allowed him to save no small amount of face, was not unlike his move 16 years earlier into the Democratic Party: Both moves kept him as close to the center of power as he could hope to be.

It is this ability to bounce back when in trouble, to embrace former enemies, that is the source of Collier's staying power. In fact, only a few days after being severely criticized for adding budget appropriations that had not been approved by the Senate, Collier turned around and pushed through a rule banning such actions.

Survivability

Collier's sudden embrace of environmental concerns, after a career of sending freeways through some of the state's most unspoiled areas, can be viewed in the same light. "Randy's no ecologist," said Assemblyman Willie Brown. "He began looking like one when we told him how politically important it is these days, and he's doing a good job at it." Another Collier observer put it this way: "He sees there's no particular advantage to consistency if things change. He knows it's the end results that count when it's all over. He's not the kind to fight and die for a losing cause."

In the last few months, Collier said that he's been talking with some local leaders from Los Angeles about starting a mass-transit system. He still doesn't want to see gas-tax funds used for rapid transit, but he admitted that he hasn't come up with an acceptable alternative — a situation that fuels speculation that he might be softening his opposition. "With Collier," one observer noted, "you must remember his innate shrewdness and will to survive. It wouldn't be impossible for him to switch completely again and carry a good mass-transit bill on the theory that it represents the interests of his constituency and his own political interests to have him in the Senate mainstream."

The will to survive (and to build) is memorialized today in the state's toll-free highway system — not to mention the Collier Tunnel and the Randolph Collier freeway rest-stop in his Senate district. And it came reasonably close to taking the form of a new Capitol for California, a project that for years was known in Sacramento as Collier Towers.

In search of blue skies: The state stiffens as the feds wilt

By **BRUCE KEPPEL**

*Blue skies, shining at me,
Nothing but blue skies do I see . . .*

Ah, the post-war Forties! How clear it all seemed with everything expanding and growing in the best of all possible worlds! Even the fact that the blue skies — at least in the Los Angeles basin — were becoming a relative rarity amid the gasoline-fueled hustle-and-bustle of growth could be laughed off. (Sample one-liner: "I don't trust air I can't see.") But the Forties ended with the sobering discovery that all of that activity and prosperity was gained at a price. And the price was summed up in a four-letter word that inaccurately mixed smoke and fog: smog. The question today is: Will a 30-year-old non-specialist named Tom Quinn put the blue back in the sky?

It was a Cal Tech scientist named Jan Arie Haagen-Smit who discovered the connection between the exhaust from internal-combustion engines and the eye-stinging, choking phenomenon of smog. Haagen-Smit's discovery was not immediately translated into a blue-skies policy in either the state or the nation. But by the 1970s both the federal and state governments had decided that clearing the air was an important public policy, and in California Haagen-Smit found himself chairing the state Air Resources Board.

Reagan's purge

But under the administration of Governor Ronald Reagan, the ARB established a reputation for indecisiveness. [See "State lags in clearing the air," *CJ*, October 1973.] And, as a matter of fact, the state was playing a defensive game against the aggressiveness of the federal Environmental Protection Agency, created by the 1970 Clean Air Act, which established a blue-sky policy that could force a dramatic retooling of the Los Angeles auto-based lifestyle.

But when the state board finally seemed about to take a firm decision — one requiring installation of a pollution-control device on autos built between 1966 and 1970 — Reagan refused to go along and, in December 1973, he appointed all-new members to the part-time board. Former legislator and actor Charles J. Conrad was Haagen-Smit's replacement among a quintet that was not remarkable for special knowledge in the area of air pollution. The new board voted the Governor's desire — and postponed implementation of the plan to require retrofitting the device on the used cars.

Ironically, that is where we are still. Except that now, under a newly constituted three-person board vigorously committed to a blue-sky policy, it is the Legislature that is seeking to put off the requirement for the 1966-70 cars and the board that was fighting to carry it out in the six counties of the South Coast Air Basin (Los Angeles, Santa Barbara, Ventura, San Bernardino, Riverside and Orange). Governor Edmund G. Brown Jr. was presented legislation to do this last month, which he signed only after having the Highway Patrol monitor the effective-

ness of the devices already installed and holding a lengthy hearing at which experts disagreed over the value of the program.

Because of such problems with cleaning up past errors — such as dirty engines — the new board's direction has shifted toward strict compliance with future clean-air goals. The target year is still 1977 as spelled out in the federal legislation, but now it is Washington that is dragging its feet and suggesting delays of a year and maybe more. The EPA suddenly professed concern that catalytic converters installed on new cars starting in 1975 would increase sulfate emissions so much as to negate whatever benefits might be derived from screening out oxides of nitrogen and hydrocarbons.

The state Air Resources Board's new chairman, Governor Brown's former campaign director, Tom Quinn, immediately expressed skepticism at the EPA's finding, charging it with using "the possible sulfate problem as an excuse to roll back federal emission standards." The EPA subsequently reported last month that its earlier findings may have been overstated. (They were based, apparently, on "worst possible" traffic and atmospheric conditions and may also have exaggerated the amount of sulfate emitted per vehicle.) In any case, President Ford's primary concern was economic recovery and not the environment, as he made clear on several occasions. And Ford has been sympathetic to the pleas of auto-makers from his former congressional constituency in Michigan that business is tough enough these days without imposing stringent emission standards nationwide.

As a consequence of the state Air Resources Board's stand, California car-buyers may find themselves paying more per automobile for the emission-control equipment required in this state only, while having fewer models (and perhaps not the cheapest) available to choose from. In short, clean-air leadership carries a price, and Californians may soon be called upon to begin paying it. (The willingness of the Legislature — and of Brown, for that matter — to yield to constituent gripes about installing the \$35 device suggests an unwillingness to pay any price for cleaner air.)

Environmental turn-around

The new administration's commitment to a blue-sky policy is part of an environmental package in which Quinn plays a central role. The Air Resources Board has always been a parttime body, but Quinn, 30, draws a full-time salary in his capacity as special adviser to Governor Brown. The other two Brown appointees — Robert F. Sawyer, 39, a professor of mechanical engineering at the University of California at Berkeley and an expert in combustion and air pollution, and Mary Nichols, 29, an attorney who has successfully litigated air-pollution cases — are paid \$1,042 a month, for which they are expected to work at least 60 hours. Sawyer's and Nichols' special knowledge in pollution and commitment to clearing the



air, coupled with Quinn's fulltime and aggressive presence, have greatly strengthened the ARB. "We meet under new circumstances," Quinn said at the first meeting in January. "This is a new board with a new governor who for the first time is putting air-quality control high on the priority list." (Quinn was forced to trim his sails, however, on repeal of the NOx program in order not to remain at odds with an unconvinced Governor.)

While the board is authorized two additional members, there was no plan last month to increase membership. One reason for that is that the Brown administration has pending a plan to reorganize the state's approach to the environment. Former ARB Chairman Haagen-Smit favored appointment of an environmental "czar" who would not be in the position Haagen-Smit had found himself in of having to bend before political considerations emanating from an administration. In a sense, Quinn is that czar, and the next move is to create an environmental quality agency under which will be grouped the separate boards that now watch over solid-waste management, water and air pollution. That plan awaits legislative approval and had been greeted with something less than enthusiasm by some key senators.

Pressure below

Meanwhile, the Governor has asked for funds to increase the ARB staff by about 55 percent. One aspect of increased staffing will be to step up monitoring of local air-pollution control districts. In anticipation of such a move and of the likelihood of enacting a law merging local districts in the Los Angeles area (an act vetoed last year by Reagan), the six counties of the South Coast Air Basin quietly agreed to form one regional district effective July 1st (pending what is expected to be routine ratification by the counties' boards of supervisors).

Adding impetus to the local reorganization has been criticism of local districts by the ARB — something unheard of under the Reagan philosophy of leaving the maximum amount of public decision-making on the lowest possible level of government. At its March 18th meeting, the state board criticized the Los Angeles County Air Pollution Control District (one of those to be merged) for lax enforcement of pollution controls over power plants, refineries and other major industrial polluters. The ARB staff recommended, among other things, that emission standards be tightened and expressed in pounds per hour rather than tons per year and that the effect on air quality outside Los Angeles County be considered in granting authority to build new facilities. In short, air pollution does not readily respect county lines — or any other jurisdictional boundaries.

So far, the ARB has gained its visibility chiefly from three episodes: The Chrysler recall, Tahoe smog and 1977 car standards.

The Chrysler recall. The first show of a willingness to use what muscle exists in state law came in February when

Quinn ordered Chrysler Motors to recall some 21,000 1975 model cars sold in California for having faulty anti-smog devices. "The action was taken," Quinn explained, "only because the pollutants from Chrysler cars represented massive and unprecedented violations of our anti-smog laws." Quinn conceded that he had, in effect, threatened to put Chrysler out of business, but he explained that such "massive retaliation" reflected less a desire to destroy industry on the part of the board than deficiencies in existing law. "If they didn't agree to this order, we'd have had the choice of doing nothing or forcing them into bankruptcy," he maintained. "There was no middle ground."

Tahoe smog. A second highly publicized act was a matter of words — but of words that carried heavy public-policy potential. Quinn, through an aide, released a statement claiming that air pollution around Lake Tahoe's casino-cluttered south shore is in some respects worse than Los Angeles' smog. Quinn's assertion was challenged by Franklin K. Lane, chairman of El Dorado County's Air Pollution Control District, who said the ARB had mixed "apples and oranges" in making the comparison. That may be true, but the point of the ARB's rhetoric was to dramatize the environmental effects of unrestrained development at Lake Tahoe. "It is clear," Quinn said, "that the large volume of automobile traffic in the south shore area is creating an extremely serious air pollution problem. If traffic continues to increase, the situation will become even more critical." Quinn's remarks were followed up by another Brown administration chief, Donald Burns, secretary of business and transportation.

1977 car standards. The board's greatest break with the Reagan past, however, is in its refusal to follow the federal example of easing off on 1977 clean-air standards for cars. "We're trying to force new technology," Quinn said. "We have a job to do, and we intend to do it, even though all we have heard from the auto industry is why it can't be done." The California standards, which will be the most stringent in the 50 states, will mean that 1977 model cars in California must emit, compared with 1970 models which serve as the bench mark:

- 10 percent as much hydrocarbons.
- 25 percent as much carbon monoxide
- 40 percent as much oxides of nitrogen.

"We're not going to ease our standards here," Quinn said. But the EPA must grant California a variance from the laxer federal standards.

Pushing ahead

Former ARB Chairman Haagen-Smit, the discoverer of smog, likes the idea of California Leadership in the Quest for blue skies. "I think we should not rely on the federal government," he said. "You have seen how easily — with a little bit of trouble about energy, a little about catalysts — they begin to crawl back."

In search of a simple majority to raise business taxes



State sales and income taxes can be raised or lowered by simple majority vote of the Legislature, but taxes levied against banks, corporations and insurance companies can be changed only by two-thirds majority vote. Question: Should these majorities be the same? And if so, should the requirement be for a simple majority or for a two-thirds vote?

These are the considerations behind an initiative campaign launched by the League of Women Voters, the California Teachers Association, People's Lobby, the Ralph Nader California Citizen Action Group, and William Bennett of the state Board of Equalization. Under the initiative measure that this coalition will try to qualify for the June 1976 ballot, it would become easier to adjust tax rates for banks, corporations and insurance companies. Their tax provisions would be removed from the shelter of the California Constitution and its two-thirds majority vote requirement. It would not, however, make it any more difficult to change sales and income taxes.

Early reforms

The constitutional shelter for banks, corporation and insurer taxes goes back to reforms enacted in 1906 and 1910, when California shifted its revenue source from dependence on a statewide property tax. Today, the Constitution retains extensive language regarding regulation of the insurance industry, although this is duplicated now in statute, which can be changed by simple act of the Legislature (as the Constitution's provisions cannot). This includes a write-off to insurance companies for their principal office building in the state; the cost can be deducted from the state's gross premiums tax, and any rental revenue from third parties is not taxable. The initiative would clean out the constitutional language and its relative shelter from legislative change, while leaving the statutes in force.

So the measure is really two-pronged; it is, in fact, an amalgam of two legislative proposals, Senate Constitutional Amendment 1 (Dunlap) and Assembly Constitutional Amendment 35 (Berman). (Both have undergone substantial modification in committee.) As submitted to the Attorney General March 31st, the initiative stated:

First, that Section 27 of Article XIII [of the Constitution] is amended to read:

The Legislature, a majority of the membership of each house concurring, may tax corporations, including State and national banks, and their franchises by any method not prohibited by this Constitution or the Constitution or laws of the United States. Unless otherwise provided by the Legislature, the tax on State and national banks shall be according to or measured by their net income and shall be in lieu of all other taxes and license fees upon banks or their shares, except taxes upon real property and vehicle registration.

(The only change is substituting "a majority" for "two-thirds of the membership of each house.")

Second, that a new Section 28 be added to Article XIII to read:

The Legislature, a majority of the membership of each house concurring, may tax insurers and exempt them from taxation by local government bodies except for real property taxes.

The Legislative Counsel's analysis observes that, "while this measure proposes to repeal many specific constitutional provisions relating to the taxation of insurance companies, the statutes providing for such taxation would not be affected."

The sponsors of the ballot initiative, who expect to begin circulating petitions this month, justify the change on the ground of fiscal flexibility. Said Doris Schulte of the League, speaking for the group: "We should rid our state Constitution of all provisions that inhibit the flexibility of governmental action to meet changing conditions. Passage of this measure will be the beginning of meaningful tax reform in California." The reason for that, Senator John Dunlap pointed out, is that most tax reforms of any magnitude (such as SB 90 of 1972) deal with a constitutionally sheltered point and thus require a two-thirds-majority vote for passage of the whole package. "During recent years," Dunlap said, "the two-thirds rule has effectively limited all tax-reform legislation, and this is the major reason to totally eliminate it." Increased fiscal flexibility, observed Brian Stevens, president of the California Teachers Association, would likely provide more revenue for education.

This likelihood of improving revenue sources is precisely the element that worries the California Taxpayers' Association. That group released a poll that it commissioned from Field Research Corporation showing that 55.7 percent of the respondents preferred requiring a two-thirds vote for all tax changes and 42.2 percent in favor of reducing the two-thirds vote to a simple majority. Cal Tax suggested that the voters would prefer to choose which majority.

Alternatives possible?

Is it possible that voters in 1976 will be faced by more than one measure dealing with tax-vote majorities and constitutional shelters for certain taxes? The lawmakers can still put their own measure to the voters, if enough of them worry about the language in the initiative. If not, some other group might undertake to qualify an initiative rivaling that of the League of Women Voters.

For the moment, however, the coalition has the field to itself with the petition-signing power of People's Lobby and the League's reputation for governmental responsibility as its prime assets. The goal is to obtain 500,000 signatures to qualify the measure — signatures that must be obtained for something like \$80,000 or less, according to the provisions of the Political Reform Act of 1974. That limitation may well rule out initiative campaigns by groups not endowed with a large pool of volunteer labor.

BRUCE KEPPEL

Will postcard registration bring out the vote?

About 14 million Californians are eligible to vote — if they choose to register and then show up at the polls on election day. Less than half that number, 6.4 million people, chose to exercise the right to vote last November, and the men and women who now hold office in California were selected by far less than a majority of the citizenry. As a result of the purge of non-voters that follows a statewide general election, some 3.5 million Californians this year were dropped from the registration rolls. These statistics have never seemed to bother the Republican Party in California, because potential GOP voters traditionally have registered and gone to the polls more faithfully than Democrats. In past years, Republicans have usually resisted efforts by Democrats to make the registration process less cumbersome and thus increase the pool of potential Democratic voters.

Now that the Democrats are in solid control of the machinery of state government, there is an excellent chance that California will embark on a new system of voter registration designed to register millions of previously apathetic citizens and even let them vote if they fail to register before election day. The Joint Legislative Committee for Reform of the Election Code has been examining alternative ways of revising the registration law, with the assistance of an advisory committee headed by Monroe Sweetland of San Mateo, former Oregon legislator and Democratic national committeeman.

Perhaps the biggest prod to reform is the likelihood that Congress will adopt a postcard registration system for use in the 1976 presidential election, a move that would almost force the states to follow suit or maintain separate registration lists (and even separate ballots, in some cases) for state and federal offices. In California, the register-by-mail concept is nothing new; it was advocated almost a decade ago by the then-Republican secretary of state, the late Frank M. Jordan.

Variations on a theme

The joint committee, headed by Assemblyman Jim Keysor, a San Fernando Valley Democrat, has received a variety of suggestions for reform of the registration system. But there are three basic plans:

- *Elimination of registration.* Under this scheme, favored by County Clerk Marvin Church of San Mateo, Californians would merely go to the polls on election day, show proof of citizenship (such as a driver's license), sign a form and vote. This plan is embodied in a bill by Assemblyman Ken Meade of Berkeley (AB 954).

- *Register by postcard.* No longer would Californians have to go to a firehouse or find a deputy registrar to become eligible to vote. They would merely find the postcard forms, which would be made available in places of public accommodation, and submit them to the county election officials. Citizens would then be notified that their registration was in order or that additional material was needed.

- *Election-day registration.* Under this proposal, citizens

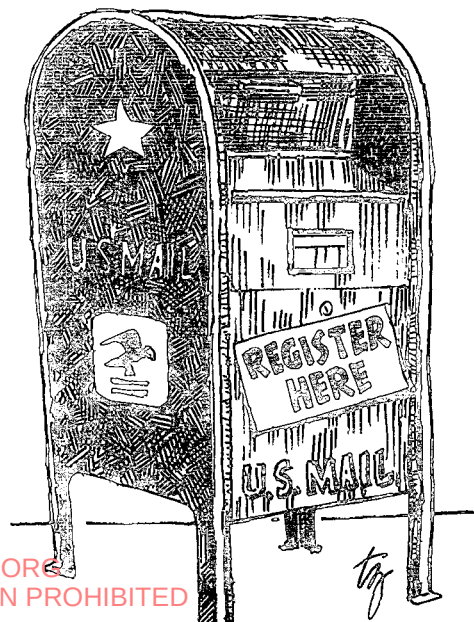
could fill out the necessary forms at the polling place on election day and vote immediately thereafter.

Assemblyman Keysor, with the support of Secretary of State March Fong Eu, is pushing for passage of a bill encompassing both the postcard and election-day-registration proposals. Eu favors elimination of registration in theory but recognizes that such a step is too revolutionary to be acceptable to the Legislature. There is also a desire to be in step with Congress' contemplated action.

Two-thirds majority needed

The key issue is political. Can Keysor obtain the necessary two-thirds vote to get a "clean" bill through the Legislature? Democrats hold a two-thirds majority in the Assembly; Speaker Leo McCarthy is supporting the measure; there are co-authors galore, including one Republican, Paul Bannai of Gardena. But how about the Senate? The upper house has 25 Democrats, two shy of the number of votes needed to pass a bill by two-thirds majority. Can Keysor keep all the Democrats in line and pick up two Republicans? Three Republicans — Peter Behr, Milton Marks and John Nejedly — often vote with the Democrats, but this could become a heavy partisan issue (especially the election-day registration provision). A two-thirds majority would be needed because an appropriation would normally be required to put the new system into effect, and Keysor would prefer to do it that way. However, proponents claim that by employing savings from the present system to finance the change the bill would require only a simple majority. But this would make the legislation far more complex and hence "unclean".

Over the years, the GOP argument against simplification of the registration procedure has been the possibility of fraud. Will it be easier for someone to register in two counties by mail or in person? Will there be



SIGNIFICANT COURT ACTIONS

When negligence is relative

For more than a century, the backbone of California's tort law has been the principle that a plaintiff in a negligence suit must be blameless in order to collect a judgment. Starting this month, as a result of a 5-2 ruling of the state Supreme Court, California will join 26 other states in employing the doctrine of comparative negligence — allowing the assessment of damages in proportion to blame — as the basis for measuring recovery in accident cases.

Justice Raymond L. Sullivan, who wrote the 49-page majority opinion, said comparative negligence is preferable to the all-or-nothing contributory-negligence doctrine from the points of view of logic, practical experience and fundamental justice. He was joined by Chief Justice Donald Wright, Justices Stanley Mosk and Mathew Tobriner and retired Justice Louis Burke (sitting on assignment). Justice William P. Clark wrote a dissenting opinion emphasizing that his colleagues were "encroaching on the powers constitutionally entrusted to the Legislature". Clark charged his five colleagues with eroding the court's constitutional function. "We are again guilty of judicial chauvinism . . .," he wrote. "In my view, this action constitutes a gross departure from established judicial rules and roles." Clark was joined by Justice Marshall McComb.

The law at issue, in *Nga Li v. Yellow Cab Co. of California*, was

enacted in 1872. It provides that a person is liable for an injury to another "except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself." Nga Li was challenging a lower-court decision denying her damages from a Los Angeles auto accident in which Nga Li had made a negligent left turn, although the trial judge found that the other driver, Robert Phillips, had entered the intersection at an unsafe speed when the traffic light was yellow.

Nga Li contended in her appeal that the 103-year-old law should be interpreted under the comparative-negligence rule. The court found that the effect of the all-or-nothing rule was to place on one party the entire burden for a loss for which two were responsible. Examining the issue raised by Clark, the majority decision states that the Legislature had not intended to prevent further judicial development of the negligence rule. The court also discussed some of the practical problems created by this significant change, and ruled that the doctrine of comparative negligence would apply in the case of Nga Li, in cases in which trial has not begun and in those cases retried on appeal.

Conflicting rights

John W. Coleman, on probation for grand theft, was charged with a new crime, being an accessory in a theft. His probation was revoked be-

fore he was tried on the new charge, and Coleman sought unsuccessfully to have his revocation-of-probation hearing delayed until after the trial. He then elected not to testify at the revocation hearing to avoid the possibility of incriminating himself at the trial. His probation was revoked and he started serving a sentence of up to 10 years on the previous conviction. The accessory charge — a lesser offense — was dropped without trial. In *People v. Coleman*, the Supreme Court found unanimously that Coleman's civil rights had been violated.

As a result of this "case of first impression", persons faced with both criminal prosecution and loss of probation hereafter will be able to testify at revocation hearings without their statements being used against them at their trials (unless they directly contradict testimony given at the first hearing). The decision, written by Chief Justice Wright, said that this procedure is required to maintain justice in the judicial system although two basic constitutional rights may be in conflict — the right for a "meaningful opportunity" to present a defense before probation is revoked and the prohibition against self-incrimination. Until now, Wright said, the law had encouraged prosecutors to move to revoke probation in advance of trial because of the predicament in which it put defendants like Coleman.

those who will drive from county to county on election day with fake identification papers seeking to vote more than once? Eu argues that even the present system does not prevent fraud because an individual could register in two or more counties "with only the slightest chance of being caught". She argues that there has been no fraud problem in Minnesota and Maryland, where registration has been possible by mail. And in these states there has been a big increase in the number of citizens registering to vote and actually voting. Eu also cites as advantages the saving of more than half the \$3 it now costs to register each voter, and elimination of the last-minute registration rush. She said that only one case of fraud had been detected — that perpetrated by a 17-year-old who wanted an identification card to buy booze.

The Secretary of State has announced her support for the Keysor bill which, in its original form, would allow registration by mail up to 10 days before an election. There would then be walk-in registration on election day, a provision that Keysor finds especially exciting because he claims that it would provide better protection against fraud than does the present system. Identification could be checked on the spot, he said, while no documentation is

needed now to register in person with a deputy registrar.

But there are obvious problems with this kind of system. How would the ballot materials be mailed to the voters? Under the federal bill, each postal patrol would get a packet. Would the procedure include any notification of precinct location? How would the number of registered voters needed to qualify petitions be established? Is there a possibility that a mass campaign of day-of-election registrations in a college town, say, could distort the democratic process?

Whatever the problems, there is no doubt that the Keysor plan would produce a significantly larger electorate, giving the Democrats a better chance of winning most elections. But will an apathetic citizen vote if he isn't stimulated by the personalities and issues of a campaign (short of being dragged to the polls by a precinct worker)? Getting out the vote is a task the Democrats appear willing to undertake. And there appears to be little that California Republicans can do to stop the registration reform movement — especially if the postcard system is enacted by Congress for the 1976 presidential election.

**GEE, ERNIE, WE'VE GOT TO
FIND SOME MONEY
SOMEPLACE!**



Public broadcasters' new target --the state treasury

By BRIAN DUTRA

For non-commercial television and radio stations in California, making financial ends meet is a constant struggle. The average public television station in California depends primarily on local sources of funding — subscriptions, individual and business contributions, local schools, auctions and other fund-raising drives. Foundation grants provide only about one-fifth of the present budgets of these stations. A report issued recently by the Legislature's Joint Committee on Telecommunications concluded that non-commercial broadcasting has been kept alive through voluntary contributions and fund-raising activities, which the committee called "the least dependable and most unpredictable sources of income." The obvious solution would be to find a dependable bankroll, specifically the tax dollars collected by the federal and state governments.

The first federal commitment to public television came in 1967 with enactment of the Public Broadcasting Act. It established a Corporation for Public Broadcasting with a 15-member board selected by the President and confirmed by the Senate. The corporation receives an annual appropriation from Congress and is thus vulnerable to the fiscal and political forces inherent in the legislative process. Public broadcasting stations have been disappointed by the allocations from Uncle Sam, averaging \$20,000 a television station in 1972 — much less than originally envisaged. Despite this, California's dozen television stations did amass nearly \$15 million in 1973, second only to New York's \$26 million. These dollars have kept the stations on the air, but have not nearly been sufficient to generate high-caliber local programming and, presumably, the large share of the market audience that that might be expected to attract.

With federal funding below expectations, non-commercial broadcasters have been making a greater effort to dent the state treasury. For several years, the industry has been pushing for allocations of state

money, and a bill to open the way cleared the Legislature last year (AB 493, Quimby) but was vetoed by Governor Ronald Reagan. The measure would have appropriated \$775,000 and created a telecommunications council to administer the program.

With Reagan gone, the stations have intensified their campaign this year, and several appropriation proposals have been introduced. The main bill, however, is AB 525 by freshman Assemblyman Terry Goggin. It would establish a commission of 11 members (five selected at large by the governor and six chosen from 25 nominees put forward by the 68 non-commercial radio and television stations) and an advisory committee to make grants and develop telecommunications. Most important, the proposal would appropriate \$40 million — \$8 million a year for five years — to be distributed under a formula established by Congress for federal appropriations to stations. Goggin's measure seeks to improve programming for cultural affairs, local events and politics. The stations stress the potential of public broadcasting as an educational tool that, the stations claim, could reduce the state's cost of education. (Almost one-quarter of non-commercial television funding already comes from schools.)

Whatever the merit of this assertion, the bill is not about to sail through the Legislature and receive the signature of Governor Edmund G. Brown Jr., \$40 million and all. Here are the reasons:

The fiscal crunch. Brown has warned that the state could find itself in deep financial trouble if it doesn't keep its belt tight. New spending programs, such as that in AB 525, face rough sledding this year. It may be that a bill without funding or with only a token amount will be enacted. (Ethan J. Wagner, a former legislative aide hired by "Californians for Public Broadcasting" to push the bill, concedes that this is a real possibility.)

Philosophical opposition. As a matter of policy, should the state become a benefactor of non-commercial TV? In his veto message last year, Reagan said, "There exists a potential for public telecommunications becoming a cen-

The author, a student at the University of California at Davis, prepared this article as a Journal intern.

NEWSBRIEFS

Lawmakers agree to start work to strengthen Capitol

The Joint Rules Committee announced approval of plans to move ahead immediately with restoration of the century-old Capitol. The project carries a \$34.5 million price-tag. Construction could begin with adjournment of the Legislature September 16th, according to committee consultant Gene Mansfield. The lawmakers would have to operate out of temporary quarters for at least three years, but Assembly Speaker Leo McCarthy warned that the job could take until 1980.

The Capitol was declared in 1973 to be unsafe in the event of a serious earthquake. Though legislative sessions have continued to convene in the ornate chambers flanking the rotunda, most offices were evacuated.

Farm workers win long fight to ban short-handled hoe

For years, farm workers have been forced in California and parts of Arizona to cultivate fields with hoes equipped with 12-inch handles. The argument was that the tool improved a worker's aim; the counter-argument was that prolonged stooping to use the tool permanently injured the worker's back. The ban was a reversal of state policy. The Industrial Safety Board had refused to rule the tool unsafe under existing regulations, and seven Salinas Valley farm workers last fall asked the California Supreme Court to review that decision. The court subsequently ordered further study, which resulted in the Brown administration's ban. "This decision reflects the importance of farm-worker safety," said Rose Bird, secretary of agriculture and services. In this case, there may be some additional costs to using alternative methods, but those costs are insignificant in comparison to the suffering to be prevented."

Some growers sought a delay in implementing the ban to enable them to retool, but one major lettuce-grower, Robert Antle of Bud Antle, Inc., in Salinas, said using long-handled hoes had actually improved production. "We fought this thing and worried over it," Antle said, "and now it turns out not to be a problem. Frankly, I feel like a goddamn jackass."

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'Un-Americanism' fades as Senate subcommittee goes out of existence

It's been five years since the Senate subcommittee on civil disorders issued its last report, marking a quiescent period that contrasted vividly with the headline-grabbing activities of its early years when it was charged with routing out subversion in California. Finally, last month the panel's chairman, Dennis Carpenter, reluctantly threw in the towel. "I'm disappointed in a way to see it dissolved," Carpenter said, "but my conscience does not allow me to continue spending funds on an unproductive effort."

The subcommittee made headlines in the 1940s and 1950s with its quest to root out communism in such places as Hollywood and the state's institutions of higher learning. Since 1971, when its name was changed and Carpenter took over, the target was the new generation of revolutionary and criminal-political groups. Its final report, which Carpenter said would probe the causes of prison violence, is yet to be released.

Initiative fever returns as petitions seek '76 ballot spots

An initiative that would assure that 90 percent of any medical malpractice award went to the injured party or heirs is the latest measure seeking to make the 1976 ballot via voter signatures. The malpractice initiative comes on the heels of proposals dealing with the siting of nuclear power plants, off-track betting and "Nevada-type gambling", and business taxes [see page 170].

Not since 1972, when nine initiatives appeared among 22 ballot propositions, has there been such a case of initiative fever. Until that year, however, the initiative had been lightly used: one qualified in 1960, three in 1962, four in 1964, two in 1966 and one each in 1968 and 1970.

The tax and gambling measures are constitutional amendments, which require signatures of registered voters amounting to 8 percent of the votes cast for all candidates for governor at the most recent election (about 500,000 signatures). Initiative statutes require 5 percent (312,404 signatures).

tralized state system which, I believe, could not be responsive to the needs of local communities." But the issue is not partisan. Democratic Senator Arlen Gregorio, a member of the Joint Telecommunications Committee, declined to endorse the committee report, in part because it "omits a philosophical consideration of what state involvement would be beneficial."

Political problems. What safeguards will insure against exerting improper political influence on the stations once they depend on legislators and the governor for funding? Would a station, say, be willing to televise programs critical of the very politicians who could cut off state funds the next year? Proponents of the legislation, including Ed Stokes of the Assembly Office of Research, argue that this is why the funding in Goggin's bill would be assured over five years, making stations less susceptible to direct or implied political pressure early in the life of the bill (but moreso as renewal time approached).

Potential benefits. If public funds are used, will stations have to offer programs appealing to large segments of the California populace? And if they do, won't they eventually be duplicating the offerings of commercial stations?

Goggin's bill does not specify how stations must spend the money. If this were done — and there are always lawmakers objecting to blank-check appropriations — it would entail the intervention of the state government into broadcasting. Currently, several other states subsidize non-commercial television. Probably the most successful operation is in Florida, which claims that nearly one-third of the state's citizens watch televised sessions of the state legislature. If stations offered complete coverage of the California Legislature, they might find that over the long run state support would hardly be any more dependable than voluntary contributions and auctions.

UC policy and the student voice

Larry Miles, UCLA student body president, was designated by the University of California Regents as the student representative in the search for a new president of the University. He also was involved in the successful effort to add a student member to the Board of Regents. In this article he gives his views on the growing role of students in the governance of the UC system.

By LARRY MILES

One of the most interesting topics of discussion within the University of California in recent months has been the degree of student participation in the governing process. The consensus appears to be that the tenor of student discontent has evolved considerably since the turmoil-plagued days of the 1960s. There is a growing sophistication of student involvement. Kathy Tuttle, external president at the Santa Barbara campus, for example, observed: "Sometimes you must work within the system to effect change."

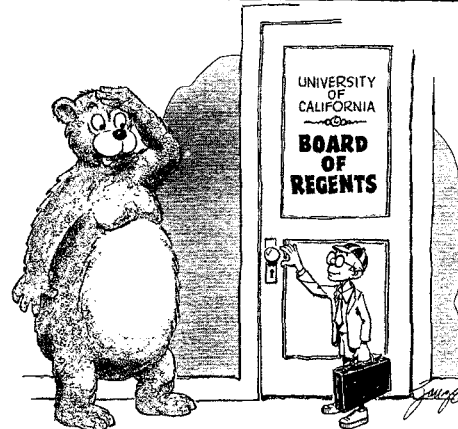
Here are two examples of student participation — naming a student regent and contributing to the search to replace President Charles E. Hitch, who will retire this summer.

Adding a student

Passage last November of Proposition Four allowed appointment of a student to the Board of Regents. The constitutional amendment did not require the addition of a student, but merely presented the regents with the opportunity to do so. The Special Committee on Reorganization, chaired by San Diego attorney Dewitt Higgs, was given the responsibility of investigating this possibility.

The students lobbied extensively in favor of seating a representative. All campus papers endorsed the concept, and the UCLA office coordinated a statewide press campaign. Representatives visited the Los Angeles *Times*, which led to editorial endorsement on the day the regents' Special Committee on Reorganization was to meet. "Our ability to persuade a prestigious news outlet like the *Times* demonstrated that there was merit to what we wanted and reason in the way it was being presented," said Alan Katz, one of the students who went to the newspaper.

Governor Edmund Brown Jr. moved unexpectedly in January to approve the idea of seating a student regent, complaining: "We're moving too slowly here. I just can't see why this board can't go on record right now in favor of a student regent." If Brown couldn't, however, others could. Regent Dean Watkins noted that suspending the rules to do so would require a two-thirds vote. State Superintendent of Public Instruction Wilson Riles said he favored a student on the board but urged waiting for the committee report. Concluded chairman Higgs: "I think it would be highly improper to consider this matter today." As it became increasingly evident that Brown's motion was going to fail, the Student Body Presidents Council responded by thanking those who had supported his motion, but noting also the reservations of other regents and the concern of still others who wanted



to respect the procedure set up earlier for resolving the matter.

Approval of seating a student regent finally came in February, and when it did only five members were in opposition — all Reagan appointees. Higgs admitted that he had been persuaded by the presentation of the student council, and Regent Chairman William French Smith, a Reagan appointee, said he would be "the first person to welcome the student regent."

The regents found room to praise student participation, too, in the search for the new UC president, though some mixed feelings on both sides were expressed later. The students were invited to participate on the same basis as alumni and faculty. This meant that they could amend the selection criteria, submit nominations, and attend meetings at the invitation of the selection committee. At the students' insistence, it was agreed that students, faculty, and alumni could all hold personal interviews with final candidates.

Although such participation was unprecedented, some internal disagreement emerged over how well the process worked. It was generally agreed, for example, that the search should have lasted longer. Beyond that, expressions of dissatisfaction varied. The Berkeley representative called the procedure "a sham", but a colleague from across San Francisco Bay expressed satisfaction with it overall. Several others doubted the sincerity of the regents toward the students' participation, and still others felt that the regents appreciated the participation despite occasional disagreement.

The search resulted in the appointment of David Saxon, who remains a relatively unknown quantity to many of the statewide student leaders. They are unsure of a man who has made an institutional reputation on the basis of unpopular though, some would argue, necessary budget cuts at UCLA. Though Saxon received some publicity for his refusal to sign the loyalty oath during the 1950s and was apparently popular with his students as a teaching physicist, his detractors caution that his lack of contact with students in recent years may carry over into his new job. [See "A man much like Hitch," *CJ*, April 1975.] However, Saxon has indicated his intention to work with students.

Clearing the path

So while obstacles remain in the path of student participation, the way has at least been cleared a bit. And if more hasn't been accomplished, the University is not totally at fault. Students must acquire greater experience in a number of areas and do their homework more thoroughly; they must also take it upon themselves to train their successors.

As the students continue to evolve a sophistication in articulating their discontent, the efficacy of their participation in policy-making will grow — and with it the appreciation of such a role, not only by the regents, administration and faculty but, more importantly, by the students themselves.

Joining the pack in pursuit of Tunney

Two additional possible 1976 opponents for Democratic United States Senator **John V. Tunney** have surfaced: Democrat **Tom Hayden**, *Rolling Stone* writer, anti-war activist and husband of actress Jane Fonda; Republican **Houston I. Flournoy**, University of Southern California political science professor and unsuccessful GOP candidate for governor last year Republican Assemblyman **John Briggs** of Orange County is preparing to challenge fellow Republican **James E. Whetmore** for Whetmore's Senate seat next year. Whetmore was weakened by revelations in the *Los Angeles Times* that he had used campaign contributions to meet personal expenses Democratic state Controller **Kenneth Cory** has refused to pay an \$11,800 polling-firm bill for work ordered last year by Republican **John L. Harmer** during the short time Harmer served as lieutenant governor. The man who defeated Harmer, **Mervyn Dymally**, claims that the project was "an out-and-out campaign expenditure".

Former Democratic Assemblyman **Bill Greene** of Los Angeles took Dymally's seat in the state Senate after piling up more than 28,000 votes in an April 1st runoff election in which

his was the only name on the ballot. There were several write-in candidates, but none received even 1,000 votes Democratic Assemblyman **Ken Meade**, involved in controversies over his refusal to wear a tie on the Assembly floor and allowing his estranged wife to take his state-leased car to Kansas, announced that he will not seek reelection next year from his Berkeley-Oakland district.

Edward B. (Ned) Hutchinson, national director of the Libertarian Party and appointments secretary to former Governor Ronald Reagan, suffered a fatal heart attack while playing tennis in Sacramento. He was 44 A \$140,000 civil suit was filed by Attorney General **Evelle J. Younger** against supporters of former Democratic Assemblyman **Joe A. Gonsalves** of Norwalk, now a lobbyist, for alleged violations of the state's campaign-disclosure law Republican Congressman **Andrew J. Hinshaw** of Orange County has been under investigation by the FBI for possible election-law violations The state Supreme Court ordered Judge **William D. Spruance** of the San Leandro-Hayward Municipal Court removed from office for "inexcusable

and reprehensible conduct".

Governor **Edmund G. Brown Jr.** removed **Donald B. Bright** from the South Coast Regional Coastline Commission. Bright sparked a gubernatorial election controversy by soliciting campaign funds for Brown from developers with business before the commission. Bright's replacement is **Frank Casado**, owner of a Los Angeles restaurant frequented by Brown. Other Brown appointees: Public Utilities Commission, **Robert Batinovich**, president of a copy-machine firm and a name on former President Nixon's "enemies list"; Board of Trustees of the California State University and Colleges, **Mary Jean Pew**, head of the History and Government Department at Immaculate Heart College in Los Angeles and a Brown campaign aide, and **Willie J. Stennis**, president of a Los Angeles restaurant chain and leader in the Black community; state Board of Education, **Louis Honig Jr.**, San Francisco elementary school teacher; commissioner of the California Highway Patrol, 42-year-old **Clendon B. Craig**, a Republican and commander of the patrol's Los Angeles zone; director of the Department of Fish and Game, **E. Charles Fullerton**, a career employee in the department. 🏠

Selected government reports

POLITICS AND GOVERNMENT

California Legislative and Congressional Districts for 1974-1980: Official Maps, Descriptions & Statistics; by the Center for California Public Affairs, an affiliate of the Claremont Colleges. 1974. Official descriptions and maps of new legislative and congressional districts. 102 pp. Available from the Center, 226 W. Foothill Blvd., Claremont, Ca. 91711. (\$10)

Empire State Report; published by Empire State Report, Inc., a non profit corporation, assisted by various grants; editor and publisher, Timothy B. Clark. A new monthly magazine on politics and government in the State of New York. First issue December 1974. Empire State Report closely follows *California Journal's* format and function. Annual subscription rates, \$18. Address: One Columbia Place, Albany, N.Y. 12207.

Illinois Issues; published monthly by William L. Day and Sangamon State University and the University of Illinois, assisted by various grants, the universities, subscriptions and donations. Vol. I, No. 1 dated January, 1975. Also similar in format to *California Journal*, the magazine focuses on Illinois governmental and business topics. Subscriptions \$15 per year, from Illinois Issues, 226 CC, Sangamon State, Springfield, Ill. 62708.

HOUSING

A California Housing Program, 1975; by San Francisco Development Fund, under a grant from R. W. Hewlett Foundation. A report to the people on California's current housing needs and how to make best use of the federal housing dollar. Emphasis is placed on how the state can help itself. 100 pp. Obtainable from the fund, 57 Post St., San Francisco 94104. (\$3.25)

The Fiscal Impact of Urban Growth: California Case Studies: Summary Report; published by Ashley Economic Services, Inc., and sponsored by the California Builders Council. Summary of a detailed study of the costs versus the revenues, including economic and environmental considerations, of urban growth, 45 pp. (For detailed analyses, see the complete report, \$10 from the council, 11th and L Bldg., Sacramento 95814.)

MISCELLANEOUS

Black Californians; prepared by Leo G. Connolly and Ben Williams for the Fair Employment Practices Commission of the state Department of Industrial Relations. June 1974. A comprehensive report on topics relating to the population, education, income and employment of Blacks in California, 56 pp. Available from the Commission, 455 Golden Gate Ave., San Francisco 94101.

A Management Review of the California Community Mental Health System; a report of the Office of the Auditor General to the Joint Legisla-

tive Audit Committee, February 1975. Findings of an investigation into the Department of Health's community mental health services, using five representative county programs. Numerous recommendations for correction and improvement. 53 pp. Available from the Auditor General, 925 L St., Suite 750, Sacramento 95814.

Federal Involvement in the California Coastal Zone: A Topical Index to Agency Responsibility; by John K. Gamman, Shavaun Towers and Jens Sorensen of the Institute of Urban and Regional Development, UC Berkeley. November 1974. With 82 federal and 42 state agencies having responsibilities affecting the California Coastal Zone, this directory's listing by topic details their coordination, gaps, and overlaps. 180 pp. Available as Sea Grant Publication No. 29, Institute of Marine Resources, P.O. Box 1529, La Jolla 92037.

Government, the Economy, and the Oil Industry: A Public Policy Analysis; published by the Institute of State and Local Government, Claremont Men's College, Claremont 91711, and edited by Alan Heslop. This article provides information for understanding alternatives facing state governments in relation to the oil industry, its performance, earnings, and state regulation, and the problems in developing a longer view of oil policy in relation to the energy crisis. 43 pp. 🏠

Smog, pot and the farm-labor firecracker

Despite an impasse on the single biggest issue of the year, collective bargaining for public employees, the Legislature marked the arrival of spring by taking action on a series of major measures. Among the bills sent to the desk of Governor Brown were proposals to repeal the NOx smog-device law affecting used cars in six Southern Counties and to permit school boards to authorize smoking on high-school campuses. The Senate approved the Moscone bill drastically reducing penalties for possession of marijuana and it was only a matter of time before the measure would land on Brown's desk.

Labor and "management" representatives, meanwhile, were unable to reach agreement on the details of a collective-bargaining bill, even after Senator Ralph Dills removed the right-to-strike and compulsory-arbitration provisions from his plan, SB 275. The biggest

remaining obstacles were the size of bargaining units (definition of supervisor) and what issues would be negotiable beyond hours and working conditions. Governor Brown threw a firecracker into the smouldering dispute over a farm-labor bill by sponsoring his own compromise, which was not acceptable to any of the parties to the conflict, Cesar Chavez, the Teamsters and the growers. But the action may make it possible for lawmakers to agree on a proposal disliked by all rather than ram through a bill advocated by one group, presumably the AFL-CIO, at the expense of the others.

Assembly Speaker Leo T. McCarthy entered into competition with Brown for tightwad of the year by announcing that the lower house would be returning almost \$1 million from its contingency fund to the treasury as a result of savings under his administration.

SENATE (24 D, 15R)	12 416 476 330 336	14 274 406 184 331 363	12 416 476 330 336	14 274 406 184 331 363	
Alquist (D)	YYY*YN	YYYYYY	Moscone (D)	YYYYYN	YYYYYY
Ayala (D)	YYYYNY	YY*YNY	Nejedly (R)	YYNYN*	NNNYNN
Behr (R)	YNNYYN	YNNYYN	Petris (D)	YYYYYN	YYYYYY
Beilenson (D)	**NY*Y	YYYYYY	Presley (D)	Y*YYYY	NYNYYY
Berryhill (R)	**YN*Y	NNY*NN	Rains (D)	*Y*YY*	YYYYYY
Carpenter (R)	YYNNNY	NNN*NN	Richardson (R)	NNYNNY	NN*NNN
Collier (D)	YYYYYY	NNYYNN	Robbins (D)	YYY*YY	YYYYYY
Cusanovich (R)	*YNNY	NNNYNN	Roberti (D)	YYYYYY	YYYYYY
Deukmejian (R)	Y*YNNY	YNNYYN	Rodda (D)	YYYYYY	YYYYYY
Dills (D)	YYYYYY	YYYYNY	Russell (R)	NNYNNY	NNNNNN
Dunlap (D)	YY*YY*	YYYYYY	Schrade (R)	YYNNYY	NNNYNN
Garcia (D)	**NN**	YYY*YY	Smith (D)	YNNYYY	YYYYYY
Gregorio (D)	--Y--*	YY*YYY	Song (D)	YYYYYN	YY*YYY
Grunsky (R)	YNNYYY	YYY*YY	Stevens (R)	YYNNYY	NNNYNY
Holden (D)	YNNNNY	NNYYNN	Stiern (D)	YYNNNY	NNNYNN
Holmdahl (D)	Y*YYY*	YYYYYY	Stull (R)	YYNNNY	NNNYNN
Kennick (D)	YYNNYY	NNYYYY	Way (R)	NNNYYY	NN*YNN
Marks (R)	YYYYYN	YYYYYN	Wedworth (D)	YYYY*Y	*NY*YN
Mills (D)	YYYYY*	YYYYYN	Whetmore (R)	YYNNYY	NNNNNN
Moscone (D)	*YYYYY	YYYYNY	Zenovich (D)	YYYYY*	YY*YNN



VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through April 20th. Votes selected involve issues of major importance, issues on which there was a major division of opinion, or both.

Y — Yes
N — No
★ — Absent or not voting

A 2/3 vote is required for urgency measures, constitutional amendments, and appropriations.

Assembly: 41 votes required for passage of bills needing a simple majority.
2/3 = 54 votes.

Senate: 21 votes required for passage of bills needing a simple majority.
2/3 = 27 votes.

Senate

BUSINESS

- SCA 12** (Roberti) — Proposed constitutional amendment to eliminate the home-office property-tax deduction for insurance companies. Adopted 30-3.
- SB 146** (Roberti) — Makes statutory changes necessary to put SCA 12 (above) into effect if approved by the electorate. Passed 29-4.
- SB 476** (Collier) — Would exempt timber harvesting operations from environmental-impact-report requirements until 1976. Passed 33-5.

CRIMINAL JUSTICE

- SB 95** (Moscone) — Reduces penalties for marijuana possession and use. Passed 21-16.
- SB 330** (Gregorio) — Would permit courts to impose a treatment program instead of suspending a driver's license for persons convicted of drunk driving. Passed 27-8.
- SB 386** (Robbins) — Requires juvenile authorities to consider protection of the public in administering juvenile-court law. Passed 26-6.

EDUCATION

- SB 274** (Alquist) — Permits Californians aged

60 or over to attend state-college classes without paying fees. Passed 23-16.

SCA 6 (Moscone) — Proposed constitutional amendment permitting approval of school bonds by simple majority instead of a two-thirds margin. Failed, 22-18 (27 votes needed).

MISCELLANEOUS

- SB 106** (Dunlap) — Permits use of state transportation funds for airport capital improvements. Passed 24-10.
- SB 184** (Petris) — Provides that a victim of housing discrimination may recover cash damages. Passed 31-3.

ASSEMBLY (55 D, 25R)							
Alatorre (D)	YNYYYY	YYYYYY	Keysor (D)	YYYYYY	YYYYYY		
Antonovich (R)	NNNNY	NNNNY	Knox (D)	*YYYYY	YYYYYN		
Arnett (R)	YNNY	YNNY*	Lancaster (R)	NNNY*	NNYNY		
Badham (R)	NNNN	NNNN	Lanternman (R)	NNNN	NNYNN		
Bane (D)	YYYYYY	*YYYYY	Lewis (R)	YNNNY	Y*YYYY		
Bannai (R)	NNNNY	YNNNN	Lockyer (D)	YYNNY	YYYYYY		
Berman (D)	YYNNY	YYYYYY	MacDonald (D)	YYYYYY	YYYYYY		
Beverly (R)	NNNNY	YNNNY	Maddy (R)	YNNNY	YNNNY		
Boatwright (D)	YYNNY	Y*YY*	McAlister (D)	YYNNY	YYYYNY		
Briggs (R)	YNNNY	NNNNY	McCarthy (D)	YYNNY	YYYYYY		
Brown (D)	Y*YNY	Y*Y*Y	McLennan (R)	*NNNN	NN**NY		
Burke (R)	*NNNN	NN*Y	McVittie (D)	NYNNY	YYNNY		
Calvo (D)	YYNNY	YYYYYY	Meade (D)	YYNNY	YYYYYY		
Campbell (R)	*NNY*	NNYNY*	Miller (D)	YYYYYY	YYNNN		
Carpenter (D)	*YYYYY	YYYYYY	Mobley (R)	NNNNY	YNNNN		
Chacon (D)	YY*Y*	YYY*Y	Montoya (D)	YYYYYY	Y**Y*		
Chappie (R)	NNYYY*	YNNNN	Mori (D)	YYNNY	YYY*Y		
Chel (D)	YYYYYY	YYYYYY	Murphy (R)	NNYNY	YNNNN		
Chimbole (D)	YYYYNY	YNY*Y	Nestande (R)	YNNY	YNNY		
Cline (R)	NNNY*	NNNNY	Nimmo (R)	N**YY	YYNN*		
Collier (R)	NNNNN	NNNY*	Papan (D)	YYNNY	Y*YYYY		
Craven (R)	YNNYY	NNYNN	Perino (D)	YYYYYY	YYNNY		
Cullen (D)	YYYYY	YNY*Y	Priolo (R)	YNNY	YNNNY		
Davis (D)	YY*Y*	YNNY	Ralph (D)	YYYYYY	YYYYYY		
Deddeh (D)	YYYYYY	YNNY	Robinson (D)	YYNNY	YYYYY*		
Dixon (D)	YYYYYY	YYYYYY	Rosenthal (D)	YYYYYY	YYYYYY		
Duffy (R)	YNNYY	YNNY	Siegler (D)	YYNNY	YYYYYY		
Egeland (D)	YYNNY	YYYYYY	Sieroty (D)	YYNNY	YYY*Y		
Fenton (D)	YYYYYY	YYYYYY	Suitt (D)	YYYYYY	Y*YYY*		
Foran (D)	*YNY*	YYY*Y	Thomas, V. (D)	YYYYY*	**YNNY		
Garamendi (D)	YYNNY	YYYYYY	Thomas, W. (R)	YNNNY	YNNNY		
Goggin (D)	YYNNY	YYY*Y	Thurman (D)	YYYYYY	YNNY*		
Greene, B. (D)	YY**Y	Y*Y*Y	Torres (D)	YNNY	YYYYY		
Greene, L. (D)	YYNNY	YNNNY	Tucker (D)	NYNNY	YYY*Y		
Gualco (D)	YYNNY	YY*Y*	Vasconcellos (D)	YYNNY	YYYYY		
Hart (D)	YYYYYY	YYYYYY	Vicencia (D)	YYYYY	YYYYYY		
Hayden (R)	**YNY	YYYYYY	Warren (D)	*YYYYY	YYY**		
Ingalls (D)	*YNNY	Y*YYY	Wilson (D)	NYNNY	YNNNY		
Kapiloff (D)	YYYYYY	YYYYYY	Wornum (D)	YYNNY	YYNNY		
Keene (D)	YYYYYY	YYYYYY	Z'berg (D)	YYNNY	YYYYYY		

SB 231 (Dunlap) — Authorizes cities and counties to conduct advisory elections on issues. Passed 21-19.

SB 363 (Dunlap) — Permits government agencies holding shares of a corporation to vote its stock to permit cumulative voting. Passed 21-18.

Assembly

BUSINESS AND LABOR

AB 543 (Robinson) — Requires an escrow agent to give buyers property-tax information when transferring property. Passed 56-16.

ACA 4 (B. Greene) — Proposed constitutional amendment allowing the Legislature to raise taxes on banks, corporations and insurance companies by a simple majority instead of a two-thirds vote. Failed 53-24 (54 votes required).

AB 118 (Fenton) — Extends unemployment insurance to farm workers. Passed 48-18.

ENVIRONMENT

SB 41 (Rains) — Suspends smog-device requirement for 1966-70 cars in the Los Angeles region. Passed 54-25.

AB 180 (Goggin) — Prohibits placement of oil or gas pipeline from an offshore operation across the coastal zone. Passed 57-15.

HEALTH

AB 193 (Keene) — Permits pharmacists to substitute generic equivalent for a brand-name drug. Passed 67-10.

HOUSING

AB 1x (Chacon) — Establishes a state housing finance agency and authorizes \$950 million in bonds for low-interest housing loans. Passed 67-11.

AB 437 (Kapiloff) — Permits local government to require that residential developments include low-income units. Passed 45-27.

TRANSPORTATION

AB 340 (Fenton) — Requires the state to develop a training program for drivers of farm-labor vehicles. Passed 62-13.

AB 936 (Ingalls) — Makes a 55-mile-per-hour speed limit permanent. Passed 64-8.

MISCELLANEOUS

AB 240 (Vasconcellos) — Creates an advisory committee to nominate candidates for higher-education posts to the governor. Passed 42-29.

AB 494 (Berman) — Continues current local-government conflict-of-interest laws until new rules are adopted by local agencies under Proposition 9. Passed 60-11.

CANNON, continued from page 179.

orphan flight), but his action seemed at best a hokey and diversionary response to the real problems posed by the Vietnamese collapse. Capping off all the assembled public-relations disasters was a photograph taken the next morning in front of the vacation residence and used on the front page of many American newspapers. It showed Kissinger, attired in a somber dark suit, and Army chief of Staff General Frederick C. Weyand, in uniform, chatting with Ford. The President, all smiles, was wearing golfing togs.

Small wonder that the polls Decision Making Information takes everywhere for the White House show that Americans regard Jerry Ford as a very nice, decent, unimperial guy who is suspected of not having substance enough for the job he inherited. If the President of the United States had spent some time on this golfing vacation talking to an ordinary truck driver or office clerk, he might not need these polls to tell him that. Sadly, this unisolated, open President was, during his California visit, as isolated and uninformed about the reactions of the real world as the reclusive man he replaced had been at San Clemente.

A WASHINGTON PERSPECTIVE...

By Lou Cannon

California and Presidents

Richard Nixon was a rootless man who always considered California his ground of being. He was happiest, if he was ever happy, walking along Red Beach at San Clemente in the heyday of his ill-starred administration, planning with Henry Kissinger the foreign policy masterstrokes he believed would forge his place in history. His public appearances in California, such as his meetings with returned prisoners of war, were limited to those scheduled events that coincided with his foreign-policy objectives and his domestic political needs.

No one seems more unlike Richard Nixon than Gerald Ford. All the world knows how Ford has opened up his administration to the "enemies" of the Nixon days — the Democratic congressmen, the Washington establishment, the liberal media. Ford is happy, optimistic and friendly with those who disagree with him. He encourages advisers to say what they really think rather than what the President expects to hear. Where Nixon was reclusive and withdrawn, Ford is open and extroverted. Where Nixon was so self-conscious that he posed in private, Ford is so secure and unassuming that he permits the White House photographer to roam almost at will taking pictures and usually is oblivious to his presence. Outwardly, at least, he has replaced the Imperial Presidency with a presidency of the people.

The above description, or most of it, is the opinion formed in Washington by those who have seen a lot of Ford. It is an opinion shared even by those critics who regard his foreign policies as anachronistic and his economic policies as potentially disastrous. It came as a surprise to some of the Ford-watchers, therefore, to find that when the President traveled to California last month the Imperial Presidency suddenly sprang up alive and well in Palm Springs. The President used as his base for the vacation the \$355,000 home of millionaire insurance man Fred C. Wilson. It is a neo-Mayan structure in Thunderbird Estates, which is part of a country-club development guarded by armed watchmen and secured behind electronic gates. The Wilson home — it would have been called a villa if inhabited by Richard Nixon — boasts a 50-foot turquoise-tiled pool with fountains and inlaid mosaics. Its other attractions included a parquet-lined game room, a living room with fireplaces at either end and a 20-foot bar. In furnishings and decoration, the home in many respects outshines the fading exile residence at La Casa Pacifica.

* * *

Outside the home during most of the week was parked a white Lincoln unimaginatively labeled "spare car". It was used to carry the President's golf clubs. Each day a procession of the President, the Secret Service bodyguards, the wire-service pool cars and the "spare car" would drive down through the electronic gates to the nearby Thunderbird Club or other golf course. Secret

Service men, even as in the Nixon years, kept reporters away, politely telling them that the President had nothing to say. The President played golf on six days, sometimes twice a day, each time in foursomes which included millionaire celebrities like Bob Hope or millionaire businessmen like Wilson or San Diego executive Leon Parma. Only his better golf scores were released. In the evening he dined on jumbo shrimp flown in from Washington and served on White House china. He never saw an ordinary American except those who served him.

Speaking of the President's vacation lifestyle, an aide said, with a faint smile: "There are no poor folks here exactly. There is no one on welfare or on food stamps."

* * *

It was different when the President was outside Palm Springs, although neither Ford nor many of his aides seemed to realize it. In San Diego, where Ford held a press conference and made two speeches, the President insisted on having dinner with the enlisted men at San Diego Naval Training Station. Aside from formal meetings with reporters and a gracious reception for the travelling press the night before he returned to Washington, the dinner with the naval recruits marked the only time that week when the President was exposed to the thinking of those who were neither rich nor members of his entourage.

In the Nixon days, reporters bore the added cross of White House press secretary Ronald L. Ziegler, whose answers usually gave misleading or limited clues to what was going on within the San Clemente compound. Nixon "worked in his study", according to Ziegler's daily communiqués. Officially, Nixon never took a vacation. Ford's press secretary, Ron Nessen, is a light-year ahead in candor. Nessen has his faults, but he has consistently refused to say that the President is working when the President is not. As a result, the American people formed a more-or-less accurate impression that Ford was spending his time on the golf course while Vietnam burned. Almost alone among the White House senior staffers, Nessen had argued that Ford should not spend his vacation in Palm Springs. He feared the golfing stories and the golfing pictures, and his fears turned out to be understated. The vacation coincided perfectly with the collapse of the South Vietnamese armies. Ford, waiting for a report from Army chief of staff Frederick C. Weyand, hadn't at this point the slightest idea of what to do about Vietnam, and he uncharacteristically sprinted away from reporters who asked him Vietnam questions at the Bakersfield airport. Then came the flights of the Vietnamese orphans. Ford's decision to greet one of the flights was compassionately motivated (he and his wife Betty had been deeply moved by the crash of an earlier

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A politician's words reveal less about what he thinks about his subject than what he thinks about his audience.

— George F. Will